

same without amendment, accompanied by a report (No. 1118), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 25987) to grant an annuity to Annie Neate, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. RAKER: A bill (H. R. 26059) to create a board of river regulation and to provide a fund for the regulation and control of the flow of navigable rivers in aid of interstate commerce, and as a means to that end to provide for flood prevention and protection and for the beneficial use of flood waters and for water storage and for the protection of watersheds from denudation and erosion and from forest fires and for the co-operation of Government services and bureaus with each other and with States, municipalities, and other local agencies; to the Committee on Rivers and Harbors.

By Mr. NEEDHAM: A bill (H. R. 26060) for the relief of persons suffering damages by reason of the construction of the canal diverting the waters of the Mormon Slough into the Calaveras River; to the Committee on Claims.

By Mr. RUSSELL: A bill (H. R. 26061) to amend the general pension act of May 11, 1912; to the Committee on Invalid Pensions.

By Mr. POUL: A bill (H. R. 26062) providing for the erection of a statue of Gen. Robert E. Lee, and also a Lincoln peace memorial arch over Pennsylvania Avenue, in the city of Washington; to the Committee on the Library.

By Mr. SABATH: A bill (H. R. 26063) to amend an act entitled "An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes," approved August 5, 1909; to the Committee on Ways and Means.

By Mr. MORRISON: A bill (H. R. 26064) to provide for the purchase of a site and the erection of a public building thereon at Noblesville, in the State of Indiana; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 26065) to provide for the purchase of a site and the erection of a public building thereon at Lebanon, in the State of Indiana; to the Committee on Public Buildings and Grounds.

By Mr. LAFFERTY: A bill (H. R. 26066) supplementing the joint resolution of Congress approved April 30, 1908, entitled "Joint resolution instructing the Attorney General to institute certain suits," etc.; to the Committee on the Public Lands.

By Mr. RAKER: Resolution (H. Res. 655) authorizing and directing the Committee on Irrigation to ascertain the present condition of the Garden City irrigation project, located in Finney County, Kans., and all matters contained in S. 6784, and to make report to the House; to the Committee on Rules.

By Mr. GRAY: Resolution (H. Res. 656) authorizing the payment of a certain sum of money to Grace G. Jackson; to the Committee on Accounts.

By Mr. FOSTER: Joint resolution (H. J. Res. 343) authorizing Federal bureaus doing hygienic and demographic work to participate in the exhibition to be held in connection with the Fifteenth International Congress on Hygiene and Demography; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AUSTIN: A bill (H. R. 26067) granting a pension to Susan King; to the Committee on Invalid Pensions.

Also, a bill (H. R. 26068) for the relief of John Samsel; to the Committee on Military Affairs.

Also, a bill (H. R. 26069) granting an increase of pension to Mary A. Clawson; to the Committee on Invalid Pensions.

By Mr. CRAGO: A bill (H. R. 26070) granting a pension to George W. Platter; to the Committee on Pensions.

By Mr. DOREMUS: A bill (H. R. 26071) granting a pension to Dora White; to the Committee on Invalid Pensions.

By Mr. GOOD: A bill (H. R. 26072) granting an increase of pension to Abel Adams; to the Committee on Invalid Pensions.

By Mr. HAMILTON of West Virginia: A bill (H. R. 26073) granting an increase of pension to Alben Swearingen; to the Committee on Invalid Pensions.

By Mr. HAY: A bill (H. R. 26074) authorizing the Secretary of War to confer upon Joseph Milton Heller the congressional medal of honor; to the Committee on Military Affairs.

By Mr. KNOWLAND: A bill (H. R. 26075) for the relief of George G. Harris and others; to the Committee on Claims.

By Mr. LINTHICUM: A bill (H. R. 26076) granting a pension to Mary Catharine Flynn; to the Committee on Invalid Pensions.

By Mr. MAHER: A bill (H. R. 26077) granting an increase of pension to Mary Brush; to the Committee on Invalid Pensions.

By Mr. PEPPER: A bill (H. R. 26078) for the relief of Charles S. Kincaid; to the Committee on Military Affairs.

By Mr. SMITH of New York: A bill (H. R. 26079) granting a pension to Charles Rosenkranz; to the Committee on Invalid Pensions.

By Mr. STEPHENS of California: A bill (H. R. 26080) granting an increase of pension to Salome A. Nelson; to the Committee on Invalid Pensions.

By Mr. TAGGART: A bill (H. R. 26081) granting a pension to William H. Watson; to the Committee on Pensions.

PETITIONS ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CALDER: Memorial of the new Seattle Chamber of Commerce, of Seattle, Wash., favoring an investigation of the foreign and domestic fire insurance corporations of the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. DIFENDERFER: Petition of Max Gress with reference to a decision given in his case; to the Committee on Invalid Pensions.

By Mr. GOLDFOGLE: Petition of the Committee of Wholesale Grocers of New York City, favoring reduction of duty on raw and refined sugars; to the Committee on Ways and Means.

Also, petitions of the Fourteenth Street Store; the Simpson-Crawford Co.; New York Typographical Union, No. 6; and Photo-Engravers' Union, No. 1, of New York City, against passage of the Bourne parcel-post bill; to the Committee on the Post Office and Post Roads.

Also, petition of the Allied Printing Trades' Council of New York State, against passage of the Bourne parcel-post bill; to the Committee on the Post Office and Post Roads.

By Mr. KNOWLAND: Petition for the relief of George G. Harris and others; to the Committee on Claims.

By Mr. PARRAN: Paper in support of bill (H. R. 20456) granting a pension to Mary Muller; to the Committee on Invalid Pensions.

Also, memorial of Robert Morris Council, No. 41, Order of Independent Americans, of Germantown, Philadelphia, Pa., favoring passage of bill (H. R. 25309) requiring the flag of the United States to be displayed on all lighthouses of the United States and insular possessions; to the Committee on Interstate and Foreign Commerce.

By Mr. RICHARDSON: Evidence in support of claim, to accompany House bill 26054, for relief of estate of John M. Wright, of Madison County, Ala.; to the Committee on War Claims.

By Mr. SABATH: Memorial of the Polish societies of Chicago, Ill., against passage of bills restricting immigration; to the Committee on Immigration and Naturalization.

Also, memorial of the new Seattle Chamber of Commerce, of Seattle, Wash., favoring passage of House bill 357, relative to investigation of foreign and domestic fire insurance companies; to the Committee on Interstate and Foreign Commerce.

By Mr. TAYLOR of Colorado: Memorial of the Ladies' Auxiliary of the International Association of Machinists, of Denver, Colo., against the treatment of the textile workers in the strike at Lawrence, Mass.; to the Committee on Labor.

SENATE.

THURSDAY, August 1, 1912.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

Mr. BACON took the chair as President pro tempore under the order of the Senate of July 29, 1912.

The Journal of yesterday's proceedings was read and approved.

ESTIMATE OF APPROPRIATION (S. DOC. NO. 889).

The PRESIDENT pro tempore (Mr. BACON) laid before the Senate a communication from the Secretary of the Treasury, transmitting an estimate of deficiency in the appropriation for "Miscellaneous expenses, Supreme Court, District of Columbia," for the fiscal year 1912, amounting to \$8,349.95, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had adopted a repli-

cation to the answer of Robert W. Archbald, additional circuit judge of the United States for the third judicial circuit and designated a judge of the United States Commerce Court, to the articles of impeachment exhibited against him, and that the same will be presented to the Senate by the managers on the part of the House; and also that the managers have authority to file with the Secretary of the Senate, on the part of the House of Representatives, any subsequent pleadings which they shall deem necessary.

The message also announced that the House had passed a bill (H. R. 18787) relating to the limitation of the hours of daily service of laborers and mechanics employed upon a public work of the United States and of the District of Columbia, and of all persons employed in constructing, maintaining, or improving a river or harbor of the United States and of the District of Columbia, in which it requested the concurrence of the Senate.

The message further announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 22195) to reduce the duties on wool and manufactures of wool.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 21213) to amend an act entitled "An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes," approved August 5, 1900, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. UNDERWOOD, Mr. HARRISON of New York, Mr. KITCHIN, Mr. PAYNE, and Mr. McCALL managers at the conference on the part of the House.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 21214) to extend the special excise tax now levied with respect to doing business by corporations to persons, and to provide revenue for the Government by levying a special excise tax with respect to doing business by individuals and copartnerships, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. UNDERWOOD, Mr. HULL, Mr. PALMER, Mr. PAYNE, and Mr. McCALL managers at the conference on the part of the House.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (S. 5545) providing for the issuing of patent to entymen for homestead upon reclamation projects, and it was thereupon signed by the President pro tempore.

CALLING OF THE ROLL—RECESS.

Mr. SIMMONS. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Senator from North Carolina suggests the absence of a quorum, and—

Mr. PAGE. I hope the Senator will withdraw that suggestion.

The PRESIDENT pro tempore. The rule is imperative. The suggestion can not be withdrawn.

Mr. SIMMONS. I can not withdraw it.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Cummins	Martine, N. J.	Smith, S. C.
Bacon	du Pont	Myers	Swanson
Bailey	Fletcher	Overman	Thornton
Borah	Hitchcock	Page	Tillman
Bourne	Johnson, Me.	Percy	Warren
Bradley	Johnston, Ala.	Perkins	Watson
Bristow	Jones	Pomerene	Wetmore
Bryan	Kenyon	Reed	Williams
Chamberlain	Kern	Simmons	
Clapp	La Follette	Smith, Ariz.	
Crawford	Martin, Va.	Smith, Ga.	

Mr. WATSON. I announce the absence of my colleague [Mr. CHILTON], on account of illness. I will let this announcement stand for the day.

Mr. THORNTON. I wish to announce the necessary absence of my colleague [Mr. FOSTER]. I ask that this announcement may stand for the day.

The PRESIDENT pro tempore. Upon the call of the roll of the Senate 41 Senators have responded to their names. A quorum of the Senate is not now present.

Mr. OVERMAN. Mr. President, I do not think the names of the absentees should be called right now. I think we ought to take a recess. I move that the Senate take a recess for half an hour.

The PRESIDENT pro tempore. The Senator from North Carolina moves that the Senate be in recess until a quarter to 1 o'clock. The question is on the motion of the Senator from North Carolina.

The motion was agreed to, and (at 12 o'clock and 15 minutes p. m.) the Senate took a recess until 12 o'clock and 45 minutes p. m., when it reassembled.

The PRESIDENT pro tempore. The Secretary will call the roll of the Senate, the previous roll call having disclosed the absence of a quorum.

Mr. OVERMAN. The roll having been called, would it not be better to have the names of the absentees called?

The PRESIDENT pro tempore. The Secretary will call the roll. That will be the better course.

The Secretary called the roll, and the following Senators answered to their names:

Bacon	Fletcher	Overman	Smith, S. C.
Bourne	Gallinger	Page	Smoot
Bradley	Gronna	Penrose	Sutherland
Brandeggee	Johnson, Me.	Percy	Swanson
Bristow	Johnston, Ala.	Perkins	Thornton
Bryan	Jones	Poindexter	Tillman
Chamberlain	Kenyon	Pomerene	Townsend
Clapp	La Follette	Root	Warren
Crane	Lodge	Sanders	Watson
Crawford	McLean	Shively	Wetmore
Cullom	Martine, N. J.	Simmons	Williams
Cummins	Massey	Smith, Ariz.	Works
Dillingham	Myers	Smith, Ga.	
Fall	Nelson	Smith, Mich.	

The PRESIDENT pro tempore. Fifty-four Senators have answered to their names. A quorum of the Senate is present.

In order that the record may be complete and understood in the future, the Chair desires to state when the call of the roll disclosed that a quorum was not present the Chair entertained the motion to take a recess. The rule provides that no motion, except a motion to adjourn or to compel the attendance of Senators, shall be entertained when no quorum is present. The Chair simply desires to state that the circumstances to-day were recognized by all as exceptional, and, as no Senator made a point of order, the Chair did not feel called upon to enforce it in that instance.

REPORTS OF COMMITTEES.

Mr. MARTINE of New Jersey, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 21888) providing for the sale of the United States unused post-office site at Perth Amboy, N. J., reported it without amendment and submitted a report (No. 997) thereon.

Mr. JONES, from the Committee on Claims, to which was referred the bill (S. 5775) for the relief of William S. McCollam, reported it without amendment and submitted a report (No. 998) thereon.

He also, from the same committee, to which was referred the bill (S. 1384) for the relief of William Mickler, submitted an adverse report (No. 999) thereon, which was agreed to, and the bill was postponed indefinitely.

He also, from the Committee on Military Affairs, to which were referred the following bills, reported them each with an amendment and submitted reports thereon:

S. 7377. A bill granting a right of way through the Fort Shafter Military Reservation, Territory of Hawaii, to the Pearl Harbor Traction Co. (Ltd.), and for other purposes (Rept. No. 1000); and

S. 6655. A bill for the relief of Lester A. Rockwell (Rept. No. 1001).

Mr. CRAWFORD, from the Committee on Claims, to which was referred the bill (H. R. 23451) to pay certain employees of the Government for injuries received while in the discharge of their duties and other claims for damages to and loss of private property, reported it with amendments and submitted a report (No. 1002) thereon.

Mr. ROOT. I am directed by the Committee on Foreign Relations, to which was referred the bill (S. 4256) to approve the celebration of the one hundredth anniversary of the treaty of Ghent, to report it favorably, with an amendment, and I submit a report (No. 1005) thereon. I call the attention of the Senator from Nebraska [Mr. HITCHCOCK] to the bill.

The PRESIDENT pro tempore. The bill will be placed on the calendar.

Mr. HITCHCOCK. I ask permission to file the views of the minority (Rept. No. 1005, pt. 2) to be printed with the report.

The PRESIDENT pro tempore. It will be so ordered without objection.

Mr. SMOOT, from the Committee on Finance, to which was referred the bill (S. 3757) for the relief of the Eldredge Bros. Live Stock Co., a corporation, reported it without amendment and submitted a report (No. 1003) thereon.

Mr. MYERS, from the Committee on Public Lands, to which was referred the bill (S. 7318) to accept the cession by the State of Montana of exclusive jurisdiction over the lands embraced within the Glacier National Park, and for other pur-

poses, reported it with amendments and submitted a report (No. 1004) thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. PERKINS:

A bill (S. 7405) for the relief of persons suffering damages by reason of the construction of the canal diverting the waters of the Mormon Slough into the Calaveras River (with accompanying papers); to the Committee on Claims.

By Mr. SMOOT:

A bill (S. 7406) to provide for the erection of a public building at Cedar City, Utah; to the Committee on Public Buildings and Grounds.

By Mr. SMITH of Georgia:

A bill (S. 7407) increasing the limit of cost of the post-office building at Atlanta, Ga. (with accompanying papers); to the Committee on Public Buildings and Grounds.

By Mr. McLEAN:

A bill (S. 7408) granting an increase of pension to Helena E. Clark (with accompanying papers); to the Committee on Pensions.

AMENDMENT TO DEFICIENCY APPROPRIATION BILL.

Mr. GALLINGER submitted an amendment proposing to appropriate \$500 to pay Clinton R. Thompson for extra clerical services in connection with the work of the Committee on the District of Columbia, intended to be proposed by him to the general deficiency appropriation bill (H. R. 25970), which was referred to the Committee on Appropriations and ordered to be printed.

HOOR OF DAILY MEETING.

Mr. GALLINGER. Mr. President, I offer an order for which I ask present consideration. I will say that upon free consultation with Senators on both sides of the Chamber there seems to be no objection to it.

The order was read and agreed to as follows:

Ordered, That the daily meetings of the Senate shall be at 11 o'clock a. m. until otherwise ordered.

HOUSE BILL REFERRED.

H. R. 18787. An act relating to the limitation of the hours of daily service of laborers and mechanics employed upon a public work of the United States and of the District of Columbia and of all persons employed in constructing, maintaining, or improving a river or harbor of the United States and of the District of Columbia was read twice by its title and referred to the Committee on Education and Labor.

FOREIGN OCCUPATIONS ON AMERICAN CONTINENTS.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution coming over from a previous day, which will be read.

The Secretary read the resolution (No. 371) reported by Mr. LODGE from the Committee on Foreign Relations July 31, 1912, as follows:

Resolved, That when any harbor or other place in the American continents is so situated that the occupation thereof for naval or military purposes might threaten the communications or the safety of the United States, the Government of the United States could not see without grave concern the possession of such harbor or other place by any corporation or association which has such a relation to another Government, not American, as to give that Government practical power of control for national purposes.

IMPEACHMENT OF ROBERT W. ARCHBALD.

The PRESIDING OFFICER (Mr. BACON). The hour of 1 o'clock having arrived, to which the Senate sitting as a Court of Impeachment adjourned, the Senate is now in session for the trial of the articles of impeachment presented by the House of Representatives against Robert W. Archbald.

The managers on the part of the House of Representatives were announced and were conducted by the Assistant Doorkeeper to the seats assigned to them in the area in front of the Secretary's desk.

The respondent, Judge Robert W. Archbald, accompanied by his counsel, Mr. A. S. Worthington and Mr. Robert W. Archbald, jr., entered the Chamber and took the seats provided for them.

The PRESIDING OFFICER. The Sergeant at Arms will make proclamation.

The Sergeant at Arms made the usual proclamation.

The PRESIDING OFFICER. The Journal of the Senate, sitting in the impeachment trial of date Monday, July 29, will now be read. Before the Secretary proceeds with the reading, the Chair will state that almost the entire part of the Journal is made up of the answer to the articles of impeachment, which has already been read in the Senate.

Mr. GALLINGER. I ask unanimous consent that the reading of the answer to the articles of impeachment be dispensed with.

The PRESIDING OFFICER. The Senator from New Hampshire asks the unanimous consent of the Senate that the reading of the answer to the articles of impeachment be dispensed with. Unless objection is made, it will be so ordered by unanimous consent. The Secretary will proceed to read the Journal.

The Journal of the proceedings of the Senate, sitting on the trial of the impeachment Monday, July 29, 1912, was read.

The PRESIDING OFFICER. Are there objections to the Journal? If not, it will be considered as confirmed.

If there are any Senators present who have not been heretofore sworn, they will now present themselves at the desk for that purpose. [After a pause.] The Chair lays before the Senate a message from the House of Representatives, which will be read.

The Secretary read as follows:

IN THE HOUSE OF REPRESENTATIVES,
July 31, 1912.

Resolved, That a message be sent to the Senate by the Clerk of the House informing the Senate that the House of Representatives has adopted a replication to the answer of Robert W. Archbald, additional circuit judge of the United States for the third judicial circuit and designated a judge of the United States Commerce Court, to the articles of impeachment exhibited against him, and that the same will be presented to the Senate by the managers on the part of the House; and also that the managers have authority to file with the Secretary of the Senate, on the part of the House of Representatives, any subsequent pleadings which they shall deem necessary.

Mr. Manager CLAYTON. Mr. President, on behalf of the House of Representatives and on behalf of the managers of the House of Representatives I now present the replication of the House of Representatives to the answers made by Robert W. Archbald, United States circuit judge for the third judicial circuit and designated a judge of the United States Commerce Court. The replication is to the answer of the respondent. I ask that it be read by the Secretary.

The PRESIDING OFFICER. The replication of the House of Representatives will be read.

The Secretary read as follows:

"Replication of the House of Representatives of the United States of America to the answer of Robert W. Archbald, additional circuit judge of the United States from the third judicial circuit and designated a judge of the United States Commerce Court, to the articles of impeachment exhibited against him by the House of Representatives of the United States of America."

"The House of Representatives of the United States of America, having considered the several answers of Robert W. Archbald, additional circuit judge of the United States from the third judicial circuit and designated a judge of the United States Commerce Court, to the several articles of impeachment against him by them exhibited in the name of themselves and of all the people of the United States, and reserving to themselves all advantages of exception to the insufficiency, irrelevancy, and impertinency of his answer to each and all of the several articles of impeachment so exhibited against the said Robert W. Archbald, judge as aforesaid, do say:

"(1) That the said articles do severally set forth impeachable offenses, high crimes, and misdemeanors as defined in the Constitution of the United States, and that the same are proper to be answered unto by the said Robert W. Archbald, judge as aforesaid, and sufficient to be entertained and adjudicated by the Senate sitting as a Court of Impeachment.

"(2) That the said House of Representatives of the United States of America do deny each and every averment in said several answers, or either of them, which denies or traverses the acts, intents, crimes, or misdemeanors charged against the said Robert W. Archbald in said articles of impeachment, or either of them, and for replication to said answers do say that said Robert W. Archbald, additional circuit judge of the United States from the third judicial circuit and designated a judge of the United States Commerce Court, is guilty of the misbehaviors, high crimes, and misdemeanors charged in said articles, and that the House of Representatives are ready to prove the same."

The PRESIDING OFFICER. The replication will be printed.

Mr. Manager CLAYTON. Mr. President, by agreement of my associates, I present at this time the following order and ask for the adoption of the same.

The PRESIDING OFFICER. The order will be read by the Secretary.

The Secretary read as follows:

Ordered, That lists of witnesses be furnished the Sergeant at Arms by the managers and the respondent, who shall be subpoenaed by him to appear at 12 o'clock and 30 minutes post meridian on the 7th day of August, 1912.

Ordered, That the cause shall be opened and the trial proceeded with at 12 o'clock and 30 minutes post meridian on the 7th day of August, 1912.

Mr. WORTHINGTON. Mr. President, as far as I know, it is unprecedented to ask the court to fix a time for the trial of a case until it is at issue. By an order which has heretofore been made by the Senate it is provided that after this replication shall have been filed further pleadings on either side may be filed with the Secretary of the Senate, the pleadings to be closed by next Saturday. Having heard the replication read, I am quite clear that it will be necessary to file a further pleading on behalf of the respondent in order to have this case in such shape that it can be legally determined. So far as we are concerned, I think that further pleading may in all probability be filed certainly by 12 o'clock to-morrow.

I would respectfully suggest that it is not in order to fix a time for the trial until what is to be tried is fixed by the pleadings in the case. Under the order of the court the court will convene again on Saturday, by which time the pleadings can be closed; and I submit that that will be the time to bring up this question of the date of the trial. If the Senate shall agree with us on that matter, of course it is not necessary now to discuss the date of the trial. After that preliminary question is disposed of, if the matter is to be determined to-day, we should like to be heard at some length.

Mr. Manager CLAYTON. Mr. President, in reply to the counsel for the respondent, I have to say that the proposition submitted on the part of the managers is not without precedent. I find, sir, that in Senate Document No. 144, in the Fifty-eighth Congress, third session, Judge Charles Swayne filed his acceptance or acknowledgment of the service and the statement that he had employed Mr. Higgins and Mr. Thurston as his counsel, and asking in substance that they be so recognized by the Senate sitting as a Court of Impeachment; and on that same day Messrs. Higgins and Thurston, the counsel, moved the court to grant the respondent a period of seven days in which to prepare and present his answer to the articles of impeachment presented against him. That was before the answer was made, of course. Then I find that on the same day, following that motion made by the counsel for the respondent, this order was made:

Ordered, That the respondent present his answer to the articles of impeachment at 12 o'clock and 30 minutes post meridian on the 3d day of February next.

I quote from the record:

Mr. Manager PALMER. I move the adoption of the order which I send to the Secretary's desk to be read.

The PRESIDING OFFICER. The proposed order will be read.

The order to which I have just referred, Mr. President, which is "that the respondent present his answer to the articles of impeachment at 12 o'clock and 30 minutes post meridian on the 3d day of February next," was agreed to, as the record shows. Then Mr. Manager Palmer said:

I move the adoption of the order which I send to the Secretary's desk to be read.

The PRESIDING OFFICER. The proposed order will be read.

The Secretary read as follows:

Ordered, That lists of witnesses be furnished the Sergeant at Arms by the managers and the respondent, who shall be subpoenaed by him to appear on the 10th day of February, at 1 o'clock post meridian.

Ordered, That the cause shall be opened and the trial proceed on the 13th day of February, at 1 o'clock post meridian, unless otherwise ordered.

An examination of the record, Mr. President, will reveal the fact that the order was entered requiring the witnesses to be subpoenaed to appear on the 10th day of February. The record will also further disclose the fact that on this same day, to wit, January 27, and before the respondent had even so much as filed his answer, the trial was set down for the 13th day of February. The proposed order is not without precedent, and I think there are other precedents of cases which have heretofore been tried in the Senate sitting as a high court of impeachment.

But, Mr. President, aside from the mere matter of precedent, we are all mindful of the conditions that now confront the Senate and the Congress. We know the lateness of the session. We know that this case has been well considered by a committee of the coordinate branch of the Congress, and by that other branch, the House itself. We know that the House of Representatives has presented articles at length; we know that the answer has been made at length, and we know that the replication has been filed. It appears to the managers that there is no necessity for leaving the question open any longer as to when this case shall be tried. We are all anxious to have that question settled to-day.

On behalf of the House of Representatives and on behalf of the managers I am directed to say that it is the wish of the House of Representatives and the managers that this trial be

had at this time. The managers are of opinion that they can have this case ready to be proceeded with on the 7th instant, the day designated in the order, and it does seem to the managers that the respondent's counsel should give some better reason than that which he has assigned for asking a postponement of the consideration of the order which I have offered.

I respectfully ask, Mr. President, that this honorable body now take up that question and settle it now. If the respondent's counsel desire to present further pleading on Saturday this order does not preclude that, and if the managers shall desire to present further pleading this order does not preclude that. It merely settles, Mr. President, the one question, and that is, Shall this case be tried at this session of Congress, beginning on the 7th day of the present month? That is the question, and the sole question, that is to be determined by the order. If at any time during the progress of the case it should become necessary to meet the manifest ends of justice, of course, I assume that this honorable court would do as any other court would do, give the opportunity both to the managers and to the respondent, within the bounds of reason and propriety, to present further pleadings or to amend their pleadings from time to time as justice in the case may require, and as it may meet the judgment of the Senate sitting as a Court of Impeachment.

Mr. WORTHINGTON. Mr. President, the respondent and his counsel up to this morning have taken it for granted that in view of the order which was made the pleadings should be closed on or by Saturday next at the hour mentioned in the order, and that the question of the time of the trial would not be brought up until that time.

I think what has been read from the proceedings in the case against Judge Swayne confirms only what I said here the other day, that it appeared in that case the respondent was anxious and himself pressed for an early trial. The matter was before the Senate about the 1st of February and the short session was to come to an end on the 4th of March. For that reason they were waiving their rights and privileges and the usual rules which obtain in all courts, so far as I know, in regard to fixing the day of trial. Now, I do not see that any injury can be done by letting this matter come up at the time that we had reason to suppose it would come up under the order made by the Senate, which was that pleadings should close and that we should all be here at 1 o'clock or 12.30, or whatever the hour mentioned was, on Saturday next. I respectfully urge, therefore, that the Senate postpone until that hour action upon the question of fixing the time of trial.

It may seem very plain to the managers that the questions which are to be tried are already determined, but from my listening to the reading of the replication especially considering its insufficiency in regard to some of the matters which are set up in the answer, it seems to me it will be necessary for the respondent, with some degree of care, to present his reply to that replication. For all these reasons I ask that the question of fixing the date of trial be passed over for the present until Saturday when the pleading shall be closed.

Mr. Manager CLAYTON. Mr. President, I ask the indulgence of the Senate for one moment to reply to some of the suggestions made by counsel. I beg to say that the replication sets up no new matter. Paragraph 1 of the replication joins issue on the questions of law which the counsel for the respondent raised in the answer; that is, it joins issue on the demurrer as to the sufficiency of the allegations. The second paragraph of the replication joins issue on those questions of fact which the answer of the respondent denies, and traverses the facts which the respondent has set up by way of confession and avoidance in his defense; so that I may say briefly there is nothing new presented in the replication of which the counsel for the respondent was not fully advised when he drew the answer.

Again, Mr. President, the proposed order is not without precedent. I find that in the last case in which the Senate sat as a Court of Impeachment the pleadings did not close until the 10th day of February. I read from the record in that case:

Ordered, That the pleadings in the matter of the impeachment of Charles Swayne having been closed, the Secretary inform the House of Representatives that the Senate is ready to proceed with the trial—

And so forth.

So it seems that the managers have not proposed anything unusual. There is nothing in the replication which can be treated by any possibility as in the nature of a surprise to the respondent or to his counsel. It is merely a joinder of issue, as I have said, on his demurrer as to the legal phases of the matter presented, a joinder of issue on the facts which the respondent denies, and a traverse of the facts which he sets up by way of confession and avoidance. I think it is not unusual, but is quite right and quite proper and just to all parties concerned, that this matter be settled now. I am sure that Sena-

tors want it settled, and I am sure the House of Representatives desires it to be settled now.

In reply to the other suggestion made by the distinguished counsel that the defendant in the Swayne case desired an early trial, it will be recalled by you, Mr. President—for I remember that the distinguished Senator who now occupies the chair was a Member of the Senate at that time—that the end of that Congress was approaching, and it was not possible to long delay the trial of that case because Congress was about to expire. It had to be tried during the month of February. So that it does not appear that the defendant was either opposed to a speedy trial or favored a speedy trial. That is a mere matter of inference, and I would have supposed that perhaps the respondent in that case, as in this case and as respondents generally do, would wait time, and I suppose he did not do what he knew would be an unnecessary thing and a foolish thing to do, ask for the postponement of that case further than some time during the month of February—that Congress, during which the trial was had, was to expire by constitutional limitation on the 4th of March next following the date for which the trial was asked to be fixed.

This matter has been under consideration in the House and under consideration in the Senate itself sitting as a Court of Impeachment, and the respondent is fully apprised of the witnesses who will be examined against him. He is fully informed as to the charges, and we have suggested nothing, it seems to me, that requires any further pleading on his part. An answer similar to the one that is interposed here was interposed in Judge Swayne's behalf, and a replication similar to the one here was interposed on the part of the managers of the House. The managers on the part of the House in the late case of Swayne—since the Belknap case—proceeded largely, if not altogether, upon the plan that has been pursued in this case. It will be remembered that in the Belknap case the articles of impeachment were presented, an answer was made, followed by a replication, a rejoinder, a surrejoinder, and, in short, the system of common-law pleadings was pursued down to the similitur, which was finally filed in the case, and the trial then began.

I repeat that the replication filed in this case by the managers on the part of the House joins issue on the questions of law and fact and presents no new matter, and therefore the managers respectfully insist that the order be now entertained and entered.

Mr. WORTHINGTON. Mr. President, nothing could more clearly indicate the danger of haste in this matter in regard to the pleadings than what has just fallen from the lips of my friend Mr. Manager CLAYTON. He says we are informed of the names of the witnesses and know what is coming. Why, Mr. President, the most important question that is involved in this case, and one as to which no issue has been joined and as to which nothing has been said in the replication, is whether a judge of a court of the United States can be brought before this tribunal and tried upon a charge as to which he knows nothing except the mere general allegation that he has committed an offense. I beg leave to call the attention of the President and of the Senate to that with some particularity. In article 6 of the articles of impeachment it is simply charged:

ARTICLE 6.

That the said Robert W. Archbald, being a United States circuit judge and a judge of the United States Commerce Court, on or about the 1st day of December, 1911, did unlawfully, improperly, and corruptly attempt to use his influence as such judge with the Lehigh Valley Coal Co. and the Lehigh Valley Railroad Co. to induce the officers of said companies to purchase a certain interest in a tract of coal land containing 800 acres, which interest at said time belonged to certain persons known as the Everhardt heirs.

Wherefore the said Robert W. Archbald was and is guilty of misbehavior in office and was and is guilty of a misdemeanor.

Now, in answer to that article the respondent says:

2. That while respondent denies that on or about the 1st day of December, 1911, or at any other time, he unlawfully or improperly or corruptly or otherwise attempted to use his influence as a circuit judge or as a judge of the United States Commerce Court with the Lehigh Valley Coal Co. and the Lehigh Valley Railroad Co., or with either of them, to induce the officers of said companies, or either of them, to purchase any interest belonging to persons known as the Everhardt heirs in any tract of coal land containing 800 acres, or to purchase any interest in any tract of land, respondent is advised and avers that said article is general, vague, and indefinite with regard to the offense sought to be charged therein; that it does not sufficiently inform respondent in what respect he is intended to be charged as having attempted to use his influence as United States circuit judge and judge of the United States Commerce Court with the Lehigh Valley Coal Co. and the Lehigh Valley Railroad Co., in that it does not state in what said attempts consisted or with what officers or agents of said company, or either of them, or under what circumstances the alleged attempts were made, and does not in any other way give respondent such information as to the real charge intended to be made against him in the said sixth article as will enable him to prepare for trial thereon.

So, in the thirteenth article, I would like the Senate to consider the position of a judge of a Federal court who is called upon to prepare for trial on a charge of this kind:

That during the time in which the said Robert W. Archbald has acted as such United States district judge and judge of the United States Commerce Court he, the said Robert W. Archbald, at divers times and places, has sought wrongfully to obtain credit from and through certain persons who were interested in the result of suits then pending and suits that had been pending in the court over which he presided as judge of the district court, and in suits pending in the United States Commerce Court, of which the said Robert W. Archbald is a member.

In answer to that part of the thirteenth article, after setting up that it charges two offenses and ought to be dismissed for that reason, because the respondent is entitled to the separate judgment of the Senate on each charge against him and not to have two or three embodied in one article, so that there might be less than two-thirds vote him guilty on one and less than two-thirds vote him guilty on the other, but on the whole there would be two-thirds. Waiving for the present moment that consideration, I ask the Senate to take notice of the answer which we make to that charge in another respect:

3. The respondent is further advised and avers that said article is general, vague, and indefinite with respect to the first offense sought to be charged therein, to wit, the obtaining of credit from persons interested in suits pending in the courts over which respondent presided, and does not give respondent such information as to the nature and character of the charge intended to be made against him as will enable him to prepare for trial thereon in that it does not inform the respondent at what times or at what places or from what persons or under what circumstances or in what way it is intended to charge that the respondent obtained credit, and that to require the respondent to further answer said charge would not be agreeable to law or justice.

And in the summons that has been served upon the respondent he is called upon to appear here and answer to such proceedings as may be agreeable to law and justice. I have read what two of the articles charge and the answer made in regard to them; and if you will look at the replication, as I have heard it here, there is no reply to those averments of the answer. It is neither admitted nor denied that those charges are so vague and indefinite that no judge can legally or lawfully be brought into this tribunal to be tried thereon. The replication, as I remember, states:

That the said articles do severally set forth impeachable offenses.

As to that I am making no point now. Then it proceeds to deny each and every averment of the answer which denies or traverses the acts charged in the articles of impeachment. There is no reply here, and there is no issue made upon the great and important fundamental fact in this case, one as to which I would thank the managers if they can find anything which approaches a precedent, that the judge of a Federal court can be brought before this tribunal and asked to answer to an indictment—for this impeachment is nothing but an indictment—which simply charges in general terms that he has committed an offense.

We expect in some manner in our answer which we shall make to this replication to call attention to that fact and either put ourselves in a position in which we may ask the Senate to determine that those charges shall not be considered any further or that the managers may have leave to say whether they stand upon the proposition that a general charge of that kind is sufficient, or to amend their charges so that they shall be specific.

It does seem to me, Mr. President, that it is unduly pressing this respondent and the situation in which he is placed to attempt at this moment and in this way, instead of at the time it would ordinarily be supposed the matter would come up, on next Saturday, to settle the important question of fixing a day for the trial; and I ask that it be allowed to go over until the court meets on Saturday, at the time heretofore fixed.

Mr. Manager CLAYTON. Mr. President, I beg the pardon of the Senate for occupying so much time on this matter, but I merely want to make a suggestion, and that is, that issue is joined. The very question of the insufficiency of the allegations or averments made in articles 6 and 13 is raised by an answer in the nature of a demurrer, which the respondent interposed. We have squarely met that. As I say, we have met that contention of the legal insufficiency of that averment by answer to that demurrer saying that it is sufficient. That presents a law question for the Senate to try when that question comes up after the trial is begun. That is not the question now before the court. The question now before the court is simply whether or not this court shall fix a time for the trial of this case.

As I said in the beginning, there is no disposition on the part of the managers to preclude the respondent from bringing any further pleading into this court that he may deem proper, and certainly the managers have reserved the right in their replica-

tion to bring further pleadings. It is simply a question as to when the Senate will enter upon the trial of this case. You are not now called upon to settle the pleadings; we are not asking you to do that; we are simply asking you to set this case down for trial at a particular time. On Saturday the respondent can file a further answer, if he wants to do so, and on Saturday, if we so desire, we shall ask this honorable court to give us further time to make replication to his further answer, if we deem it necessary.

There is but one question raised by this order: Will this court proceed with the trial of this case on the 7th day of August and have the witnesses subpoenaed, so that they may be here? That is all the managers have asked you to determine to-day.

Mr. WORTHINGTON. All that I am asking now, Mr. President, is that the consideration of that matter be postponed until Saturday, when the court again meets.

Mr. NELSON. Mr. President, I should be glad if counsel for the respondent would state before we act on this question at what time they will probably be ready for trial—what time, if any, they ask in preparing for trial. I should like to hear them on that point.

Mr. WORTHINGTON. Well, Mr. President, I am very anxious to have the consideration of that matter postponed, so that we may properly prepare and present it to the Senate. From what I now know of the situation, while I shall present my reasons to the Senate as fully as I can if I am required to do so now, it will simply amount to a denial of justice to attempt to bring the respondent to trial on the 7th day of August or anywhere near that time. I wish to ask consideration of the fact that there are 13 cases to be tried here instead of 1, and we shall require a great deal of time for that. I should very much like if we could have until Saturday to be able to present to the Senate fully a statement as to the time we shall ask and why we ask it. It is only for the reason that I want time for proper preparation for the discussion of that question that I am asking that the matter go over until Saturday. If the Senate insists that it be taken up now, I will do the best I can.

Mr. CUMMINS. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Iowa will state his parliamentary inquiry.

Mr. CUMMINS. Is the question now pending the adoption or rejection of the motion proposed by the managers of the House of Representatives or is it upon the motion or request made by counsel for respondent that a decision of the matter be deferred until Saturday?

The PRESIDING OFFICER. The Chair will respond that counsel for the respondent has not presented any order upon which he has asked the action of the Senate.

Mr. CUMMINS. I understood, however, that counsel for the respondent asked the Senate to postpone until Saturday the fixing of the time for trial. Is that in such form as to permit the Senate to act upon it?

The PRESIDING OFFICER. That is for the Senate to determine. The rule prescribes that if any Senator requires it, any motion made either by the managers or counsel shall be reduced to writing and in that way be presented to the Senate.

Mr. WORTHINGTON. I was about to say—

The PRESIDING OFFICER. The Chair will be glad to submit any motion which counsel for the respondent may make.

Mr. WORTHINGTON. The rule which you have adopted would permit counsel for the respondent or the managers to make orally any request for an order, but it must be reduced to writing if required.

I make orally the motion that the question of fixing a date for the trial be postponed until the court convenes on Saturday next.

Mr. WORKS. Mr. President, counsel simply suggests one reason why this order should not be adopted, namely, that it should not be made at this time, but later, and the issue is very squarely presented by the order itself, and in my opinion the vote should be taken on the order. If Senators believe the order should not be taken to-day, because of the suggestion of counsel that it is called for too early, there is sufficient reason for voting against it, and therefore it seems to me the better practice is to take the vote directly upon the order presented.

Mr. NELSON. Mr. President, pursuant to Rule XIX, I move that the doors of the Senate be closed while the Senate is deliberating upon this question.

The PRESIDING OFFICER. The Senator from Minnesota moves that the doors of the Senate be closed while the Senate is deliberating upon this question.

Mr. WORTHINGTON. Mr. President, before a vote is taken upon that question, may I be assured or may I assume that

the Senate, if it decides to entertain now, instead of Saturday, the motion to fix the 7th of August, will give us an opportunity to be heard before it is passed upon?

The PRESIDING OFFICER. That is for the Senate to determine.

Mr. STONE. Why can not counsel be heard now on that—before we go into executive session?

Mr. OVERMAN. I rise to a question of order.

The PRESIDING OFFICER. The Senator from North Carolina will state his question of order.

Mr. OVERMAN. The motion having been made for the closing of the doors, I think there is nothing else before the Senate.

The PRESIDING OFFICER. The Chair will submit the question to the Senate.

Mr. NELSON. If counsel desire to be heard further, I withhold my motion for the present.

The PRESIDING OFFICER. The Senator from Minnesota withdraws the motion.

Mr. SMITH of Georgia. The counsel did not indicate to the Senator from Minnesota the length of time he would wish. I understood the Senator from Minnesota to ask that counsel would at least give us an indication of the length of time he would probably apply for when he made his motion and urged it. That, I think, would be valuable information for the Senate, even in considering the question whether we shall postpone the formal hearing until next Saturday. I think we would all be glad to have an indication from counsel as to the time to which he would probably move that the case be postponed.

Mr. BORAH. Mr. President, as I understand the request of the counsel, it is to the effect that he may have until Saturday to determine what time it will be necessary for him to have in order to try this cause, and counsel have requested at this time not what is in the nature of a postponement, but in the nature of a request for time for preparation, to enable him to advise the Senate when they will be ready for trial. I do not see, therefore, very well how the counsel could advise us at this time of that with respect to which he desires time to seek information.

Mr. SMITH of Georgia. I did not understand counsel to express his views in that way. I understood he wanted until Saturday as the time to present his motion for a postponement. I did not understand him to indicate that he could not now give us some intimation as to the length of time to which he would wish to postpone the case if we agree to his view of postponement.

My reason for adding the suggestion to what was said by the Senator from Minnesota is the peculiar condition in which we are at present. The time of the year, the length of time the session has already lasted, make it desirable for all of us to know as early as possible if the case is to be postponed, the time to which the postponement is to take place. I still think, if counsel can do so, it would be valuable to many of us to know the length of time for which he would probably ask a postponement, if he now knows.

Mr. WORTHINGTON. Mr. President, I should say, from my present information as to what will be required in this case and the means we have of doing it, that it will be utterly impossible for the respondent to be properly prepared for trial before the 15th day of October.

I am at a great loss to know what I ought to say at this time as to the reasons why we ask for that time, or whether the Senate will first pass upon the question whether I may have until Saturday to prepare myself on that subject. It does not seem to me that any great harm can come from waiting from now until Saturday at noon for the purpose of enabling us to prepare and to state properly to the Senate the reasons why we ask for a delay until the 15th of October.

Mr. WORKS. If counsel for the respondent is through, I want to suggest that if counsel now believe that he shall desire as long a time as that, which would take us beyond the present session of Congress, probably, there should be some understanding on the part of the Senate as to whether a formal showing will be required or a sufficient ground for a continuance, so that if the matter should be postponed until Saturday, counsel may understand that in order to secure a continuance it will be necessary on his part to make some showing that will be satisfactory to the Senate.

I suppose there is no Member of this body who is more anxious to see this session of Congress brought to a close than I am, but this is an important matter which, it seems to me, should be disposed of and disposed of speedily. The respondent would naturally desire on his own part that the case should be speedily tried, if he can properly prepare himself for the trial. On the other hand, the Government is interested in the question whether one charged with high crimes and misdemeanors shall

be permitted to hold his seat upon the bench for an unnecessary length of time. In a case of this kind there should be no unnecessary delay, and yet the respondent should have every reasonable opportunity to prepare himself for the trial.

It does seem to me that for that reason there should be some understanding between the Senate and counsel for the respondent whether the Senate is willing to postpone the trial of this case until the 15th of October merely upon the request of counsel, or whether a formal showing of ground for continuance will be required. That, I think, should be done now, in justice to counsel.

Mr. MARTIN of Virginia obtained the floor.

Mr. LODGE. I rise to a question of order.

The PRESIDING OFFICER. The Senator from Massachusetts will state his question of order.

Mr. LODGE. The Senator from Minnesota made a motion, as provided by the rule, that the Senate consider this question behind closed doors. He withdrew it in order to give counsel for the respondent an opportunity to state the time he desired. I think it is clearly out of order to go on and discuss the merits of the question, inasmuch as the motion to consider it behind closed doors has been made.

Mr. MARTIN of Virginia. I understood the Senator from Minnesota to withdraw his motion.

The PRESIDING OFFICER. The Senator from Minnesota withdrew that motion and the Senator from Virginia has the floor.

Mr. MARTIN of Virginia. Mr. President, I will proceed to say what I had in mind. I hope the Senator from Minnesota will not again present his motion. I hope we will proceed in open session to consider every question involved in this case and every phase of the case, and that there will be no closed doors on any proposition that may arise. But, of course, I simply throw out that in passing for the consideration of the Senator from Minnesota.

What I desire to say at present is this: The managers on the part of the House have moved that the 7th day of August be fixed as the time to proceed with the trial of this case. Counsel for respondent asks that that motion may not be disposed of to-day. He states that he desires to give reasons why the case should not be proceeded with on the 7th of August, but that he is not prepared to give those reasons to-day. He simply asks until day after to-morrow to prepare and present to the Senate the reasons which he desires to present to show that we ought not to proceed with the trial of this case on the 7th of August.

It seems to me it is a matter of very little consequence whether we fix the time to-day or day after to-morrow. I am anxious that it shall be done at the earliest practicable moment. If this case is to be proceeded with to the end before an adjournment of the Senate, I am anxious to know it. The Members of the House are, of course, anxious to know it. But we can not afford to be harsh or unreasonable or to deny any right or to do any injustice in respect to this matter, and surely no harm will come to anyone by giving counsel until day after to-morrow to present his reasons why the case should not be proceeded with on the 7th day of August.

I will be much gratified if the managers on the part of the House can see their way clear to let the consideration of the motion submitted by them go over until Saturday.

Mr. Manager CLAYTON. Mr. President, I have conferred with my associate managers, and I think the suggestion made by the Senator from Virginia is a very proper and reasonable one. In view of the reasons he has assigned for postponing the further consideration of the order which I proposed to the court this morning, we will adopt the suggestion made by the Senator from Virginia and agree that the further consideration of this order to fix the time for the trial of this case for the 7th day of August be postponed until Saturday next—day after to-morrow. We shall then respectfully insist upon the adoption of that order and upon an early trial of this case.

The PRESIDING OFFICER. Counsel on the part of the respondent asks that the consideration of the question as to when the trial shall be proceeded with be postponed for determination until Saturday. Is there objection? If not, by unanimous consent it is so ordered. Is there any other matter the managers on the part of the House desire to present?

Mr. Manager CLAYTON. There is nothing else, Mr. President, and having no other business before the Senate, we beg leave at this time to retire.

The PRESIDING OFFICER. The Chair calls attention to the fact that there is no regular order as to the hour of meeting of the Senate for the trial of the impeachment. Possibly it may be necessary to make one at this time.

Mr. LODGE. Did not the previous order fix the hour for the meeting on Saturday?

The PRESIDING OFFICER. The order which was presented by the Senator from Massachusetts on a previous date and which was adopted by the Senate related only to this day.

Mr. LODGE. Only to this day?

The PRESIDING OFFICER. Yes.

Mr. LODGE. Then I move that when the court adjourns to-day it be to meet at 2 o'clock on Saturday next.

The PRESIDING OFFICER. The Senator from Massachusetts asks that the Senate order that when the Senate sitting as a Court of Impeachment adjourns to-day it shall be to meet at 2 o'clock on Saturday next. Is there objection? If not, it will be so ordered, by unanimous consent.

The managers on the part of the House thereupon retired from the Chamber.

The respondent and his counsel withdrew from the Chamber.

The Senate sitting as a Court of Impeachment thereupon (at 1 o'clock and 55 minutes p. m.) adjourned until Saturday, August 3, 1912, at 2 o'clock p. m.

FOREIGN OCCUPATIONS ON AMERICAN CONTINENTS.

The PRESIDENT pro tempore. Without objection, and by unanimous consent, the Senate, sitting as a Court of Impeachment, stands adjourned until August 3, at 2 o'clock. The Senate is now sitting in legislative session. The Chair will call attention to the fact that a resolution is pending. It has already been read. It will be stated by title.

The SECRETARY. A resolution (S. Res. 371) by Mr. LODGE, from the Committee on Foreign Relations, declaring the attitude of the United States under certain conditions as to the possession or ownership of certain strategic alien harbors within the American continents.

Mr. SIMMONS. I ask unanimous consent, if it is necessary to obtain unanimous consent—

The PRESIDENT pro tempore. The Chair suggests to the Senator from North Carolina that the pending resolution can only be acted upon in the morning hour, which has nearly expired.

Mr. LODGE. I ask for a vote.

The PRESIDENT pro tempore. The question is on agreeing to the resolution reported by the Senator from Massachusetts.

Mr. STONE. I object.

Mr. LODGE. There is no question of objection. The resolution comes up—

The PRESIDENT pro tempore. The Chair was about to put the question.

Mr. LODGE. I beg pardon.

Mr. Latta, one of the secretaries of the President of the United States, appeared at the bar of the Senate.

Mr. BAILEY. Mr. President, a message from the President of the United States is here.

The PRESIDENT pro tempore. The question is on agreeing to the resolution reported by the Senator from Massachusetts [Mr. LODGE].

Mr. STONE. I desire to be heard on the resolution.

The PRESIDENT pro tempore. The Senator from Missouri desires to be heard.

Meanwhile, the Senate will receive a message from the President of the United States.

[A message from the President of the United States was received, announcing his approval of sundry bills and joint resolutions. The approvals appear in another part of to-day's proceedings.]

Mr. STONE. Mr. President—

SEVERAL SENATORS. Question!

The PRESIDENT pro tempore. The Senator from Missouri has addressed the Chair. Does the Senator from Missouri desire to proceed?

Mr. STONE. It being within two minutes of 2 o'clock, when the resolution will go over automatically, I ask that its consideration be postponed until to-morrow.

Mr. GALLINGER. Without losing its place.

Mr. LODGE. Without losing its place. To that I have no objection.

The PRESIDENT pro tempore. The request is that, without prejudice, action upon the pending resolution be postponed until to-morrow. Without objection, it will be so ordered.

THE TARIFF BILLS.

Mr. PENROSE. I desire to ask if it is agreeable to the Senator from North Carolina that the tariff bills should be placed before the Senate so that conferees may be appointed?

Mr. SIMMONS. I rose for the purpose of making that request, but at the suggestion of the Chair I deferred it.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Latta, executive clerk, announced that the President had approved and signed the following acts and joint resolutions:

On July 31:

S. 7027. An act to prohibit the importation and the interstate transportation of films or other pictorial representations of prize fights, and for other purposes.

On August 1:

S. J. Res. 100. Joint resolution authorizing the Secretary of the Interior to permit the continuation of coal-mining operations on certain lands in Wyoming;

S. J. Res. 122. Joint resolution providing for the payment of the expenses of the Senate in the impeachment trial of Robert W. Archbald; and

S. 4930. An act to harmonize the national law of salvage with the provisions of the international convention for the unification of certain rules with respect to assistance and salvage at sea, and for other purposes.

TARIFF DUTIES ON WOOL.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 22195) to reduce the duties on wool and manufactures of wool.

Mr. SIMMONS. I move that the Senate insist upon its amendments and ask for a conference on the disagreeing votes of the two Houses, and that the Chair appoint the conferees on the part of the Senate.

The PRESIDENT pro tempore. The Senator from North Carolina moves that the Senate insist upon its amendments and ask for a conference on the disagreeing votes of the two Houses, the conferees on the part of the Senate to be appointed by the Chair.

Mr. SMITH of Michigan. Before that motion is put, I desire to call the attention of the Senate to memorials which I have here from 2,386 working people in the State of Michigan in one industry, and which I was requested to present as a protest against the reduction of tariff duties.

If the Chair will permit me, out of order, I should like to send the protest to the desk and I would like to have the first one read. It is very brief.

The PRESIDENT pro tempore. Is there objection?

Mr. PENROSE. I must object to the memorial being read until after the question of a conference on these bills has been disposed of.

Mr. SMITH of Michigan. I think it very appropriate to have it read now for the information of Senators.

Mr. PENROSE. That may be, but I must object.

The PRESIDENT pro tempore. The Senator from Pennsylvania objects to the reading of the memorial. The question is on the motion of the Senator from North Carolina.

Mr. SMITH of Michigan. The motion of the Senator from North Carolina is debatable, as I understand it.

The PRESIDENT pro tempore. It is.

Mr. SMITH of Michigan. I should like to have the memorials returned to my desk, and I will endeavor to make their contents clear in my own way.

Mr. BRANDEGEE. Mr. President, I demand the regular order.

The PRESIDENT pro tempore. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 21969) to provide for the opening, maintenance, protection, and operation of the Panama Canal, and the sanitation and government of the Canal Zone.

Mr. BRANDEGEE. I ask unanimous consent that the unfinished business may be temporarily laid aside.

The PRESIDENT pro tempore. The Senator from Connecticut asks unanimous consent that the unfinished business be temporarily laid aside. It will be so ordered, without objection.

Mr. BOURNE. Mr. President, I desire to give notice that upon the disposition of the request of the Senator from North Carolina I shall ask unanimous consent that the Senate resume the consideration of House bill 21279, the Post Office appropriation bill.

Mr. SMITH of Michigan. Mr. President, the motion before the Senate, as I understand it, is the question of insistence upon the amendments made by the Senate and the appointment of conferees. Am I right?

The PRESIDENT pro tempore. The Chair will state that under the rules the laying of the message of the House before the Senate is always in order, and that has been done. The question as to what shall be done with it is a matter for the disposition of the Senate.

Mr. SMITH of Michigan. Upon that point I desire to address the Senate briefly, if in order.

The PRESIDENT pro tempore. The matter is not now before the Senate, unless the Senate so orders.

Mr. SMITH of Michigan. May I ask what question is before the Senate?

The PRESIDENT pro tempore. The Senator from North Carolina has moved that the Senate insist on its amendments and ask a conference with the House, and that the Chair appoint the conferees on the part of the Senate. The matter is now before the Senate.

Mr. SMITH of Michigan. Mr. President, my purpose in rising is to avail myself of the constitutional privilege of the people of the State of Michigan to memorialize Congress in their own way. Not knowing just what course may be taken upon these tariff bills, and desiring to give encouragement to the conferees who are to be appointed, that they may not lightly yield to this attack upon cherished principles long entertained by the people and recognized as essential to the American system of government, I desire to present these memorials from workmen in a great Michigan industry.

They come in formal protest, as I said a few moments ago, from 2,386 laboring people in one single industry in the city of Detroit. They represent 558 persons employed in the main division, 329 persons in the service division, 274 persons in the body division, 217 persons in the truck departments, 260 persons in the body paint shop, 205 persons in the chassis machine department, 156 persons in the motor room, 104 persons in the foundry, 97 persons in the office, 54 in the forge, 51 carpenters, millwrights, steam fitters, electricians, et cetera, and 26 persons employed in the ironing room of the Packard Automobile Co. at Detroit.

These people claim—and justly, I believe—that foreseeing a disposition on the part of our opponents in Congress to reduce the tariff, they are impelled to protest against that course on the ground that their employments are jeopardized by this threatened assault on the protective policy of our Government, unnecessarily inviting ruinous foreign competition.

They believe that the price of labor is much less abroad than it is here, and that the cost of production is greater here than it is abroad; and acting strictly within their rights they have formulated these various protests against the reduction of tariff duties.

The memorial is as follows:

We, the undersigned members of the American motor-car industry, foreseeing that tariff reductions on foreign-built motor cars and motor-car parts will admit to our market on equal terms a product on which the price of labor is much less than that of our own, realize that the certain result must be either the loss of the market or a corresponding cut in the American price of labor.

We therefore petition Henry B. Joy as chairman of the committee of manufacturers to protest to the House of Representatives on behalf of ourselves and all other employees of this industry, against any legislation tending to cheapen the American product and so to reduce the wage standard of American workmen.

I think they are justified in their apprehensions, and I want to urge the Senate to carefully consider this protest against unfair competition from Europe.

Having this in mind, I have risen at this time because I do not know who the conferees upon these bills are to be, but I do know that the principle involved in this legislation is serious and important to the American people, and that a radical change menaces American production and the permanency of the American wage scale; therefore I offer these protests.

Mr. NELSON. I would suggest, if the Senator will allow me, that the memorials be referred to the Senate members of the conference committee on the wool bill.

Mr. SMITH of Michigan. Acting upon the suggestion of my distinguished friend from Minnesota, I prefer the request that these memorials be respectfully referred to the conferees on the part of the Senate on the tariff bill.

The PRESIDENT pro tempore. The question is upon the motion of the Senator from North Carolina [Mr. SIMMONS], that the Senate insist upon its amendments and ask for a conference on the disagreeing votes of the two Houses, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the President pro tempore appointed Mr. LA FOLLETTE, Mr. BAILEY, and Mr. SIMMONS conferees on the part of the Senate.

The PRESIDENT pro tempore. The memorials presented by the Senator from Michigan will be referred to the conferees, without objection.

THE SUGAR SCHEDULE.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives on the bill (H. R. 21213) to amend an act entitled "An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes," approved August 5, 1909, dis-

agreeing to the amendments of the Senate, and asking a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. PENROSE. I move that the Senate insist upon its amendments and accede to the request of the House for a conference on the disagreeing votes of the two Houses, and that five conferees on the part of the Senate be appointed by the Chair.

The motion was agreed to; and the President pro tempore appointed Mr. PENROSE, Mr. LODGE, Mr. BRISTOW, Mr. BAILEY, and Mr. SIMMONS conferees on the part of the Senate.

THE EXCISE TAX.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 21214) to extend the special excise tax now levied with respect to doing business by corporations to persons, and to provide revenue for the Government by levying a special excise tax with respect to doing business by individuals and copartnerships, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. SIMMONS. I move that the Senate insist upon its amendments and agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

Mr. STONE. What are the amendments?

Mr. LA FOLLETTE. There is the tariff commission amendment.

Mr. MARTIN of Virginia. And the repeal of the Canadian reciprocity act.

Mr. STONE. I do not insist upon those amendments.

The PRESIDENT pro tempore. The question is on agreeing to the motion made by the Senator from North Carolina.

The motion was agreed to; and the President pro tempore appointed Mr. BAILEY, Mr. SIMMONS, and Mr. LA FOLLETTE conferees on the part of the Senate.

POST OFFICE APPROPRIATION BILL.

Mr. BOURNE. I ask unanimous consent that the Senate now resume the consideration of House bill 21279, the Post Office appropriation bill.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 21279) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1913, and for other purposes.

Mr. BOURNE. I will state that in the information print we completed last evening paragraph 85, so that the Secretary will now begin the reading in the information print at paragraph 86.

The PRESIDENT pro tempore. The next amendment of the Committee on Post Offices and Post Roads will be stated.

The SECRETARY. On page 28, beginning with line 11, the committee proposes to insert the following:

That hereafter, in addition to the salaries by law provided, the Postmaster General is hereby authorized to make travel allowances in lieu of actual expenses, at fixed rates per annum, not exceeding in the aggregate the sum annually appropriated, to railway postal clerks, acting railway postal clerks, and substitute railway postal clerks, including substitute railway postal clerks for railway postal clerks granted leave with pay on account of sickness, assigned to duty in railway post-office cars, while on duty, after 10 hours from the time of beginning their initial run, under such regulations as he may prescribe, and in no case shall such an allowance exceed \$1 per day.

Mr. GALLINGER. I wish to ask the Senator from Oregon what "acting railway postal clerks" are? What class do they belong to? I know we have railway postal clerks and substitute railway postal clerks, but what are acting railway postal clerks?

Mr. BOURNE. I will state for the information of the Senator from New Hampshire that this was an amendment which was brought to the committee and its adoption strongly urged by the department. It was prepared in the department, and it was the opinion of the committee that it was an administrative matter. From the statement presented to the committee, they felt that it would benefit very much the efficiency of the department, and it was adopted and recommended by the committee.

Mr. GALLINGER. What puzzles me is that these clerks are under the civil service. They are railway postal clerks, and there are the substitute clerks who take the place of the regular clerks when they are off duty for any reason. Does this contemplate that there shall be another class outside of civil-service employees, who are to be acting railway postal clerks whom some one will appoint? I simply want to find out just what it means; that is all.

Mr. BOURNE. It would be purely an inference on my part in reference to that. I presume that a person who was not in

the regular substitute class but who is on the eligible list would be appointed temporarily to act. I do not imagine that any new class is to be introduced or that there is to be any innovation in the service.

Mr. GALLINGER. I suggest to the Senator in charge of the bill that he make inquiry in regard to the matter.

Mr. BOURNE. I will do so.

Mr. GALLINGER. I will not interpose any objection to the amendment.

Mr. REED. Mr. President, I have had little opportunity to examine this bill. I therefore want to ask the Senator in charge of it whether the effect of that part of the amendment which appears at line 11, page 28, is not to pay or may it not pay more money than the actual expenses. It reads:

That hereafter, in addition to the salaries by law provided, the Postmaster General is hereby authorized to make travel allowances in lieu of actual expenses, at fixed rates per annum.

Mr. BOURNE. If the Senator will allow me, the next line fixes a limitation, and the concluding line is a limitation, "not exceeding in the aggregate the sum annually appropriated," and in the concluding line of the amendment, "in no case shall such an allowance exceed \$1 per day."

Mr. REED. I should like to know why we go from the policy of actual expense to the policy of a fixed allowance. It may be absolutely all right, but I should like to have some explanation.

Mr. BOURNE. I will state for the information of the Senator from Missouri that this amendment was strongly urged for the consideration of the committee on the part of the department for the purpose of avoiding greater labor, delay, and expense in preparing the pay rolls, checking them, and verifying them, and signing the authorizations for each roll. This plan was proposed in order that expense allowances may be a stated amount in lieu of actual expenses paid.

It was fully explained before the House committee, and the explanation is found on pages 273 and 275 of the hearings before the House committee.

The statement of the department is that the change proposed is a slight verbal one in existing law.

That hereafter, in addition to the salaries by law provided, the Postmaster General is hereby authorized—

And then follows the amendment as submitted by the committee.

Mr. REED. Is it the rule now in existence to pay the actual expenses, or do they not get any expenses now?

Mr. BOURNE. The rule is now the payment of the actual expenses. For the purpose of simplicity in keeping the pay rolls they recommend this change. The discretionary power detailed to the department is limited, according to the terms of the proposed amendment, to \$1 per day, and it can not exceed the limitation contained in line 14.

The total amount of the appropriation or payment that might be made under this appropriation or the authority granted can not exceed "in the aggregate the sum annually appropriated." In my opinion, every precaution is taken, so that if the amendment is adopted the appropriation can not be misused.

Mr. REED. Mr. President, it is always embarrassing to talk about a matter that one must frankly admit in advance he is unfamiliar with. I am in that position, and I expect many Senators are, with reference to this appropriation bill and other appropriation bills. But if I grasp the situation aright, it is this: At the present time these division superintendents and clerks are reimbursed for the actual outlay while on the road. It is proposed to substitute for that the payment of a fixed sum, or a sum to be fixed by the head of the department, which shall not exceed the amount named in the bill in the aggregate nor exceed the sum of \$1 per day for each man, and this is done for the purpose of simplifying and making easier the keeping of accounts. Boiled down, it means in practical operation that \$1 a day will be paid to these men, and that is all there is of it.

Mr. HITCHCOCK. Mr. President, I think perhaps I can from my memory of the previous Post Office appropriation bills make a correct statement of this situation.

A number of years ago provision was made for the payment of expenses of railway postal clerks while absent from home on duty, but the amount appropriated was not sufficient, and the department was only able to pay to the clerks an amount, as I remember it, the first year, of about 16 cents per day—a very small allowance. In subsequent years the clerks made constant application to the department for their actual traveling expenses, and one year after another the amount of the appropriation was increased, until it is now made absolute at not to exceed \$1 per day while the clerk is absent from his home.

My impression is that this allowance has been considered by the clerks and is considered by the department as a reasonable

adjustment of the difficulty. It is something in addition to what the clerks formerly received and is in the nature of compensation to them while they are absent from home.

Mr. BOURNE. The statement of the Senator from Nebraska expresses the situation as it exists. I find on reference to the hearings that the Second Assistant Postmaster General, Mr. Stewart, said:

We are paying under the present appropriation an allowance of 60 cents. The limitation of the law is \$1 a day, but the appropriation was not adequate to pay the entire amount. That was for the first quarter, but we find that we can allow probably 75 cents for the two remaining quarters, and we are making arrangements to do that.

The CHAIRMAN. The estimate you make here is intended to allow the limit of \$1 a day?

Mr. STEWART. Yes, sir; that covers the entire amount.

The CHAIRMAN. That is suggested from the experience of the last two years?

Mr. STEWART. Yes, sir.

We have to suggest, in view of the great labor in making these appointments, preparing the pay rolls, checking them and verifying them, and then signing authorizations for each roll, which takes the time and efforts of many clerks and officers of the service, that there should be a change made in the law so as to allow travel allowance equal to these amounts in lieu of actual expenses, so that we can make an order at the beginning of the year, for instance, stating for each clerk his travel allowance to which his line is entitled, and which will be paid the same as salary is paid. Every run will have a stated expense allowance based upon the provision of the law and the actual expenses of the clerk. If a clerk changes his run, a new order changing his travel allowance would be made, and that would remain in force until his position changed again.

The CHAIRMAN. And that would stop all this bookkeeping?

Mr. STEWART. Yes, sir; all the routine work. We believe it would be economy to change the plan in that respect.

Mr. REED. At present the clerk would be entitled to his actual expenses, provided a sufficient amount had been appropriated. Under the proposed rule the department head or chief would arbitrarily in advance fix the amount of expense to go to each man, dependent upon the conclusion the department chief had arrived at with reference to the amount of actual expenses. So the department will now, under this proposed rule, fix the amount of expense money to go to each man instead of the man receiving what he actually expends. They have had their actual expenses if there was enough money, as I understand it, but there has never been enough to quite pay them. How much will this plan increase the expense to the Government?

Mr. JOHNSTON of Alabama. I should like to ask the Senator if he can conceive of any case where the expense of traveling would be less than a dollar a day?

Mr. REED. No.

Mr. JOHNSTON of Alabama. That is perhaps for a meal, and I do not think he will get overburdened on that if paid a dollar a day for it.

Mr. REED. The Senator, perhaps, misapprehends the purpose of my inquiry. I am not trying to beat these men down to lower figures than they ought to have. I am trying to get some light on the question as to what increased expense this will make to the Government and whether, in fact, it will work a hardship on the men by transferring their present right of their actual expenses into a right which is controlled by the department chief.

Mr. JOHNSTON of Alabama. I understood the chairman of the committee to say that at present they are getting about 75 cents a day.

Mr. BRISTOW. I will state to the Senator from Missouri that postal clerks have never had their actual expenses, but there has been an allowance heretofore of so much per day in lieu of expenses.

This year the maximum allowance for expenses is more than it has ever been heretofore. Formerly they received no allowance whatever for expenses, but paid their own expenses on the road. Subsequently they were allowed 25 cents a day, and afterwards 50 cents a day. This year it has been increased to a dollar a day, which is a more liberal allowance than has ever before been made.

Mr. WARREN. Will the Senator from Missouri yield a moment that I may ask the Senator from Kansas a question?

Mr. REED. Certainly.

Mr. WARREN. I understand—and the Senator will correct me if I am wrong—that, as he says, originally the mail clerks had no expense allowance. Then we made a sort of partial allowance that has never been large enough to enable them to pay their actual expenses?

Mr. BRISTOW. That is right.

Mr. WARREN. As I understand, the present proposition is to pay their actual expenses—no more and no less?

Mr. BRISTOW. No; the plan is to pay their expenses, but not to exceed \$1 a day. The allowance for this purpose is limited to a dollar a day.

Mr. WARREN. Yes, I understand that; I should have so stated. It is for their actual expenses up to a dollar a day, but it is not intended to pay a dollar a day as such.

Mr. BRISTOW. No.

Mr. WARREN. Not unless their expenses amount to that. I think these mail clerks ought to have it, by all means. They ought not to be obliged to pay their expenses from their private funds while on duty away from their homes. I do not think there is any expectation that the maximum of a dollar a day will be exceeded except in rare cases; but if the \$1 a day be found insufficient I would favor placing the limit higher.

Mr. REED. Mr. President, I grant fully, without any cavil, the proposition that if the salaries of these men are now insufficient they should be increased to a point where they are fair and adequate, but I do not care whether that increase is made by a direct increase in the salary or by an allowance for expenses while upon the road. There is no question there that would be worth discussion. I had risen originally to get some light upon this proposition. The objection I see to it in its present form is found in a few lines; and I think it is an objection. The bill provides:

That hereafter in addition to the salaries by law provided the Postmaster General is hereby authorized to make travel allowances in lieu of actual expenses, at fixed rates per annum, not exceeding in the aggregate the sum annually appropriated.

Then in the last line is the provision:

Under such regulations as he may prescribe, and in no case shall such an allowance exceed \$1 per day.

That puts in the hands of the Postmaster General the power to farm this money out, to say where it shall go. It is not provided that it shall be distributed to all alike; and it seems to me that if we are to give these clerks a dollar a day for expense money while they are upon the road, then the law ought to provide that they shall get this money as a matter of right under the law and not as a matter of executive order from the Postmaster General, for he may distribute the money more liberally upon one run than upon another.

Mr. BRISTOW. Mr. President, let me call the Senator's attention to a condition in a region of country with which he is doubtless familiar. I remember there is a postal run from Lawrence, Kans., to Gridley on what is known as the Lawrence-Ottawa branch of the Santa Fe Railroad. The clerk leaves Lawrence in the morning and gets back in the evening; he lives at home and is away only for one meal. A railway clerk may go out of Kansas City for La Junta in Colorado, and he is away from home for two days, perhaps three; I do not remember just how long the run is. Does not the Senator from Missouri see that there would be more equity in allowing the full amount to a clerk running from Kansas City to La Junta, who is away all the time for two or three days, than there would be in allowing the full amount to the clerk who would be away from home only for his noon meal? Conditions like that arise everywhere, and there must be some latitude allowed to the administrative department in apportioning the fund where the service is of that character.

Mr. REED. Well, Mr. President, I, of course, understand there may be varying conditions, but I am opposed to placing the money in the hands of the Postmaster General and giving to him the right to distribute it practically at will, trusting alone to his discretion. It is not the wise thing to do. There have been already, either granted by Congress or taken over by the Post Office Department, powers that are so arbitrary and that are being so grossly abused times out of number that I hesitate to increase the powers of that department. There may be difficulties to arrange, but it seems to me to grant to the head of a department this large sum of money, practically to be expended in his discretion, is not in accordance with the usual methods of granting money, and that, instead of giving it to the Postmaster General to distribute it as he may see fit, it would be much wiser if the committee would formulate some rules under which these employees would obtain this money as a matter of right.

Mr. BOURNE. Mr. President, I will ask the Senator from Missouri, though I do not want to interrupt him—

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from Oregon?

Mr. REED. Certainly.

Mr. BOURNE. Has the Senator evolved any plan which he thinks would be an improvement over this one?

Mr. REED. Well, as I stand here on the floor, I would not undertake to evolve a plan. I am not a universal genius, but—

Mr. BOURNE. The Senator's point is that this is an invitation to favoritism, as I understand?

Mr. REED. Exactly; and I have a further objection, if the Senator pleases, that it is not in accordance with the usual

custom to grant a large sum of money and to allow a department chief to distribute it without laying down the rules specifically under which it shall be distributed.

Mr. BOURNE. If the Senator will permit me, I should like to get his viewpoint. Suppose we allow a per diem in addition to the salary paid, would there not, in his judgment, be an insistent demand later on for a travel allowance on the part of Government employees?

Mr. REED. Not if you made the amount in lieu of travel expenses and paid it specifically for that purpose and gave it to them absolutely. I think we should say where it should go, instead of leaving it in the discretion largely of the Postmaster General, from whose decision there is, in fact, no appeal. I wish the Senator would consider that. I do not wish to delay the bill.

Mr. BOURNE. I would be very glad to let this matter go over if the Senator thinks he can work out a plan that would be an improvement, and consider that later on; or I would be very glad to let this matter go through and then take the matter up in conference, as, of course, it will go into conference, as it is an amendment on the part of the Senate.

Mr. REED. That is satisfactory to me. I merely wanted to call attention to it.

The PRESIDENT pro tempore. Without objection, the amendment is agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Post Offices and Post Roads was, on page 28, line 24, after the words "postal clerks," to insert "including substitute railway postal clerks for railway postal clerks granted leave with pay on account of sickness," so as to make the clause read:

For travel allowances to railway postal clerks, acting railway postal clerks, and substitute railway postal clerks, including substitute railway postal clerks for railway postal clerks granted leave with pay on account of sickness, \$1,340,743.

The amendment was agreed to.

The next amendment was, on page 29, line 4, after the word "hire," to strike out "in classes 1 and 2," and, in line 5, before the word "thousand," to strike out "sixty" and insert "ninety," so as to make the clause read:

For temporary clerk hire for emergency service, \$90,000.

The amendment was agreed to.

The next amendment was, on page 29, line 6, after the word "vacation," to strike out "\$72,000" and insert "\$108,000," so as to make the clause read:

For substitutes for clerks on vacation, \$108,000.

The amendment was agreed to.

The next amendment was, on page 29, line 17, before the word "substitute," to insert "or"; in the same line, after the words "postal clerk," to strike out "sea post clerk, or substitute sea post clerk"; and in line 21, before the word "thousand," to strike out "twenty-one" and insert "sixty," so as to make the clause read:

For acting clerks in place of clerks or substitutes injured while on duty, who shall be granted leave of absence with full pay during the period of disability, but not exceeding one year, then at the rate of 50 per cent of the clerk's annual salary for the period of disability exceeding one year, but not exceeding 12 months additional, and to enable the Postmaster General to pay the sum of \$2,000, which shall be exempt from payment of debts of the deceased, to the legal representatives of any railway postal clerk, or substitute railway postal clerk, who shall be killed while on duty or who, being injured while on duty, shall die within one year thereafter as the result of such injury, \$160,000.

The amendment was agreed to.

The next amendment was, on page 30, line 2, before the word "dollars," to strike out "sixty thousand" and insert "seventy-five thousand," so as to make the clause read:

For actual and necessary expenses, division superintendents, assistant division superintendents, and chief clerks, Railway Mail Service, and railway postal clerks, while actually traveling on business of the Post Office Department and away from their several designated headquarters, \$75,000: *Provided*, That of this sum \$15,000 shall be immediately available.

Mr. BOURNE. I ask that the amendment proposed by the Senate committee be rejected. It was found, after the amendment had been reported, that there was no necessity for the increased amount, the House amount being sufficient.

The amendment was rejected.

The Secretary resumed the reading of the bill, on page 30, in line 2, and read as follows:

Provided, That of this sum \$15,000 shall be immediately available.

Mr. BOURNE. I move that that proviso be stricken out.

The motion was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Post Offices and Post Roads was, on page 30, line 5, before the word "miscellaneous," to strike out "and"; in the same line, after the word "miscellaneous," to insert "and"; in line 7, before the word

"thousand," to strike out "seventy-five" and insert "eighty"; and in line 8, after the word "headquarters," to insert "and chief clerks," so as to make the clause read:

For rent, light, fuel, telegraph, miscellaneous, and office expenses, schedules of mail trains, telephone service, and badges for railway postal clerks, \$80,000, including rental of offices for division headquarters, and chief clerks, Railway Mail Service, in Washington, D. C.

The amendment was agreed to.

The next amendment was, on page 30, line 15, before the word "dollars," to strike out "three" and insert "four"; in line 16, before the word "dollars," to strike out "three thousand eight hundred and thirty-one" and insert "four thousand two hundred and ninety-six"; in line 19, before the word "dollars," to strike out "six hundred" and insert "seven hundred"; in the same line, before the word "hundred," to strike out "four" and insert "nine"; and in line 20, before the word "dollars," to strike out "thirty-one" and insert "ninety-six," so as to make the clause read:

For per diem allowance of assistant superintendents while actually traveling on official business away from their home, their official domicile, and their headquarters, at a rate to be fixed by the Postmaster General, not to exceed \$4 per day, \$4,296, and for their necessary official expenses not covered by their per diem allowance, not exceeding \$700; in all, \$4,996.

The amendment was agreed to.

The next amendment was, on page 31, line 23, after the word "dollars," to strike out "to cover one-half of the cost of transportation, compensation, and expenses of clerks to be employed in assorting and pouching mails in transit on steamships between the United States and other postal administrations in the International Postal Union" and insert "to cover the cost to the United States of maintaining sea-post service on steamships conveying the mails"; on page 32, line 7, after the word "piers," to strike out "and"; in line 9, after the word "piers," to insert "and for transferring the foreign mail from incoming steamships at Honolulu from quarantine to the piers"; and in line 13, after the words "United States mail," to insert "*Provided*, That acting clerks may be employed in place of clerks or substitutes injured while on duty who shall be granted leave of absence with full pay during the period of disability, but not exceeding one year, then at the rate of 50 per cent of the clerk's annual salary for the period of disability exceeding 1 year but not exceeding 12 months additional, and that the Postmaster General may pay the sum of \$2,000, which shall be exempt from payment of debts of the deceased, to the legal representative of any sea-post clerk or substitute sea-post clerk who shall be killed while on duty, or who, being injured while on duty, shall die within one year thereafter as the result of such injury"; so as to make the clause read:

For transportation of foreign mails, \$3,748,400: *Provided*, That the Postmaster General shall be authorized to expend such sums as may be necessary, not exceeding \$111,000, to cover the cost to the United States of maintaining sea-post service on steamships conveying the mails, and not exceeding \$80,000 for transferring the foreign mail from incoming steamships in New York Bay to the steamship and railway piers, for transferring the foreign mail from incoming steamships in San Francisco Bay to the piers, and for transferring the foreign mail from incoming steamships at Honolulu from quarantine to the piers; also for transferring the mail from steamships performing service under contract for transporting United States mail: *Provided*, That acting clerks may be employed in place of clerks or substitutes injured while on duty, who shall be granted leave of absence with full pay during the period of disability, but not exceeding one year, then at the rate of 50 per cent of the clerk's annual salary for the period of disability exceeding one year but not exceeding 12 months additional, and that the Postmaster General may pay the sum of \$2,000, which shall be exempt from payment of debts of the deceased, to the legal representative of any sea-post clerk or substitute sea-post clerk who shall be killed while on duty, or who, being injured while on duty, shall die within one year thereafter as the result of such injury: *Provided further*, That the sum of \$6,000 be immediately available for the payment to the widow or next of kin of J. S. March, O. S. Woody, and W. L. Gwinn, sea-post clerks, who lost their lives on the steamship Titanic, said sum to be equally divided, \$2,000 to each widow or next of kin.

The amendment was agreed to.

The next amendment was, on page 33, line 13, after the words "appointed by the," to strike out "President" and insert "Postmaster General, from the Post Office Department," and in line 14, before the word "thousand," to strike out "two" and insert "five," so as to make the clause read:

For two delegates to the International Postal Union at Madrid, 1913, to be appointed by the Postmaster General, from the Post Office Department, \$5,000.

The amendment was agreed to.

The next amendment was, under the subhead "Office of the Third Assistant Postmaster General," on page 33, line 25, before the word "envelopes," to strike out "and official," so as to make the clause read:

For pay of agent and assistants to examine and distribute stamped envelopes and newspaper wrappers, and expenses of agency at Dayton, Ohio, \$22,800.

The amendment was agreed to.

The next amendment was, on page 34, line 11, before the word "thousand," to strike out "twenty-five" and insert "forty-five," and in the same line, after the word "dollars," to insert "of which the sum of \$10,000 shall be immediately available for the fiscal year 1911," so as to make the clause read:

For payment of limited indemnity for the loss of pieces of domestic registered matter, first, third, and fourth classes, \$45,000, of which the sum of \$10,000 shall be immediately available for the fiscal year 1911.

The amendment was agreed to.

The next amendment was, on page 34, line 15, after the word "mails," to insert "in accordance with convention stipulations"; in line 16, before the word "thousand," to strike out "fifteen" and insert "seventeen"; in line 17, before the word "thousand," to strike out "eight" and insert "seven"; and in line 18, after the word "available," to insert "for the fiscal year 1911," so as to make the clause read:

For payment of limited indemnity for the loss of registered articles in the international mails, in accordance with convention stipulations, \$17,000, of which \$7,000 shall be immediately available for the fiscal year 1911.

The amendment was agreed to.

The next amendment was, on page 34, after line 21, to insert:

For the employment of special counsel, to be appointed by the Attorney General when requested by the Postmaster General, and at compensation to be fixed by the Attorney General, not exceeding this temporary appropriation, to prosecute and defend, on behalf of the Post Office Department, all suits now pending or which may hereafter arise affecting the second-class mailing privilege, \$10,000.

The amendment was agreed to.

The next amendment was, on page 35, line 16, after the word "health," to insert "and by State boards or departments of public charities and corrections," so as to read:

That from and after the passage of this act all periodical publications issued from a known place of publication at stated intervals, and as frequently as four times a year, by or under the auspices of a benevolent or fraternal society or order organized under the lodge system and having a bona fide membership of not less than 1,000 persons, or by a regularly incorporated institution of learning, or by a regularly established State institution of learning supported in whole or in part by public taxation, or by or under the auspices of a trades-union, and all publications of strictly professional, literary, historical, or scientific societies, including the bulletins issued by State boards of health, and by State boards or departments of public charities and corrections, shall be admitted to the mails as second-class matter, and the postage thereon shall be the same as on other second-class matter.

The amendment was agreed to.

The next amendment was, in the appropriation relative to admitting to the mails as second-class matter periodical publications issued from a known place of publication at stated intervals, etc., on page 36, line 11, after the word "publications," to strike out "Provided, That the circulation through the mails of periodical publications, issued by or under the auspices of benevolent or fraternal societies or orders or trades-unions, or by strictly professional, literary, historical, or scientific societies, as second-class matter, shall be limited to copies mailed to members, exchanges, and bona fide subscribers, together with 10 per cent of such circulation in addition as sample copies" and insert "Provided, That the circulation through the mails of periodical publications issued by, or under the auspices of, benevolent or fraternal societies or orders, or trades-unions, or by strictly professional, literary, historical, or scientific societies, as second-class mail matter, shall be limited to copies mailed to such members as pay therefor, either as a part of their dues or assessments, or otherwise, not less than 50 per cent of the regular subscription price; to other bona fide subscribers; to exchanges, and 10 per cent of such circulation as sample copies," so as to read:

But such periodical publications, hereby permitted to carry advertising matter, must not be designed or published primarily for advertising purposes, and shall be originated and published to further the objects and purposes of such benevolent or fraternal societies or orders, trades-unions, or other societies, respectively; and all such periodicals shall be formed of printed paper sheets, without board, cloth, leather, or other substantial binding, such as distinguish printed books for preservation from periodical publications: *Provided*, That the circulation through the mails of periodical publications issued by, or under the auspices of, benevolent or fraternal societies or orders, or trades-unions, or by strictly professional, literary, historical, or scientific societies, as second-class mail matter, shall be limited to copies mailed to such members as pay therefor, either as a part of their dues or assessments, or otherwise, not less than 50 per cent of the regular subscription price; to other bona fide subscribers; to exchanges, and 10 per cent of such circulation as sample copies: *Provided further*, That the office of publication of any such periodical publication shall be fixed by the association or body by which it is published, or by its executive board, and such publication shall be printed at such place and entered at the nearest post office thereto.

Mr. TOWNSEND. Mr. President, it may seem a little ungracious to stop action on this bill for a discussion of this item, and I do not do so with any idea of finding fault with the committee. I realize that this has been a very difficult subject with which to deal and that the committee has given it very long and careful consideration. I especially commend the

chairman for his patient and painstaking labors on the pending bill. Nevertheless, I believe the House provision is more desirable than the Senate committee amendment.

The question of the admission of fraternal papers and publications to the mails has been one that has been before Congress a great many times. The first act regarding second-class mail matter privileges was passed in 1879, and after that act passed for a good many years fraternal papers were admitted to the mail at second-class rates without any serious question on the part of the Post Office Department until the early nineties when the Post Office Department ruled that such publications were not entitled to admission to the mails because, first, they did not have a bona fide subscription list. The question was brought up and the department ruled that a list of membership could be recognized as a list of subscribers if in the dues or initiation fees or in some other way the question of a payment for the subscription was recognized by the order.

It was also believed under the old law of 1879 that fraternal papers had the right to carry general advertising until the department ruled to the contrary. Then an act was passed in 1894, and the discussion which occurred in Congress at that time will throw a great deal of light upon the question for those who wish to know exactly what the situation then was.

It was believed then that fraternal organizations had been denied rights and benefits of the second-class mail privilege by executive orders of the Postmaster General, and so the law of 1894 was passed. It was believed at that time that the claimants for the second-class mail privilege had been accorded all they required; but after that another ruling by the department came out, in fact there were several rulings, to the effect that they still did not have a bona fide subscription list, for the roll of membership was not regarded as such a list, and that the provision regarding the advertising matter which could be published only included that which applied to the order or to the good of the order, and that the fraternal papers could not carry any advertisements except such as originated in and affected directly the order itself, as, for instance, if they had some old regalia they wished to sell they could advertise in their papers for that purpose, but could not carry any other advertising.

It ought to be understood, Mr. President, that all these fraternal associations are organized under State laws which forbid that they should be conducted for profit. Not one of these organizations can be carried on or can conduct a publication for profit alone; indeed, if it were known that that was the chief object of the advertisements the charter of the organization would be forfeited. Mr. President, I have never heard that the privilege accorded prior to 1894 and some little time thereafter has ever been abused.

Mr. BOURNE. Will the Senator permit me to interrupt him?

Mr. TOWNSEND. Very gladly.

Mr. BOURNE. Do I understand the Senator from Michigan to say that none of these organizations could charge for subscription to their papers any more than it cost the organization—

Mr. REED. Will the Senator please speak so that we can all hear him?

Mr. BOURNE. I was asking the Senator from Michigan if I understood him to say that none of these organizations could charge for subscription to their papers more than it cost the organization for the support and maintenance of the papers?

Mr. TOWNSEND. Oh, no. I was not discussing that point at all.

Mr. BOURNE. I understood the Senator to say they could not charge any profit. Probably I misunderstood him.

Mr. TOWNSEND. Yes. I stated that these orders could not conduct their publications for purposes of profit. They could, however, undoubtedly charge an amount for the publication which would contribute to the expenses of the publication and, incidentally, to the expenses of the order, but they could not issue a publication for the purposes of making money, under the organization or under their charters.

Mr. BOURNE. Then why do they desire the privilege of carrying advertising matter?

Mr. TOWNSEND. For the purpose I have stated. In the first place, it is a known fact that a great majority of these publications are conducted at a loss. They do not receive the amount of money that it costs the organization to publish them, and the reason they are published is because the paper furnishes a means, an easy and adequate means, for giving notices of assessments and other notices incidental to the conduct of the order.

Mr. BOURNE. If the Senator will allow me, how is the determination to be arrived at whether they are conducted at a loss or not if no charge is made to the member of the organization for the subscription to the paper?

Mr. TOWNSEND. The papers are published out of a fund, a lodge fund, drawn upon for that purpose. By reference to that fund one could determine very readily what was the expense of the publication, and the only object of the publications in getting the right to carry advertisements was to secure some means to assist them in defraying the cost of publishing the paper itself.

Mr. BOURNE. If I may interrupt the Senator from Michigan—

Mr. TOWNSEND. Any time.

Mr. BOURNE. How is the amount of the fund that is set aside for the publication of the paper determined? Upon what basis? It is autocratic, absolutely.

Mr. TOWNSEND. Absolutely.

Mr. BOURNE. How can you say, then, that there is a regular subscription price if an amount is autocratically set aside for the maintenance of the paper?

Mr. TOWNSEND. I did not wish to be understood as saying that there was an amount set aside. If I stated that, I did not mean it. I meant that a certain sum was deducted from the revenues of the order for meeting the expenses of the paper.

Mr. BOURNE. And that is charged to whom?

Mr. TOWNSEND. It is charged to the general fund of the order, and paid out as a part of the running expenses of the order, the same as rent would be paid or any other fixed charge, because it has become a fixed charge upon every order which issues a paper.

These papers are in themselves of the highest character, so far as concerns the material in them.

They are contributing to the welfare of their membership. I have never seen a paper which was issued by one of these orders against which there could be the slightest objection. They go to the homes of about 8,000,000 members in the United States.

Now, what was sought by the House amendment was to make absolutely clear the fact that these papers could carry advertisements not inconsistent with the postal rules and laws and not inconsistent, of course, with the charters under which they are doing business, and this bill provides for that; the committee has left that in. It also sought to provide further that a list of members, where the order consisted of a thousand or more members, should be a sufficient subscription list for the circulation of the paper, to meet the requirements of the law. Therefore it has seemed to me that inasmuch as I have never heard any complaint of any abuse of this privilege, these worthy institutions, and I think they are all recognized as worthy, should possess this right and benefit.

I repeat that under a general order of the department for a season the department recognized that membership in this order constituted a subscription, provided in the initiation fees or the dues—it was recognized that a payment had been made or included in it.

Now, the committee has gone a long way in the right direction here, and perhaps it is technical for me to make this objection, namely, I am afraid that under this language the department may still rule that the method adopted by the orders does not square with the notion of the department as to what is a subscription list.

Mr. BOURNE. If the Senator will permit me, the committee of the Senate in considering this matter, as the Senator has stated, spent considerable time and held hearings. They have the same opinion that the Senator has so graphically described in reference to these organizations. The desire of the Senate committee was to put these fraternal organizations on the same basis that we put all publishers of other magazines, periodicals, or newspapers.

Under the law the privilege of becoming second-class mail matter depends upon a regular subscription list. There are some 26,504 publications outside of fraternal and benevolent organizations, of which there are some 1,346. That we should give privileges to or remove conditions from these 1,346 publications that are not given or required of the 26,504 was deemed by the committee as unjust and discriminatory. We have tried in the committee amendment to meet what the representatives of these associations claim they desire. No burden will be put upon the organizations or the members by compliance with the committee amendment. We adopted what is known as the Dodds bill, to which the Senator refers, as it passed the House, with the exception of the proviso, and we substituted a proviso for the House proviso.

Under the Senate proviso the only limitation or restriction put upon the members or upon the organizations is that the subscription price to members shall be not less than 50 per cent of the regular subscription price.

I understand the largest organization in the United States is the Woodmen, representing some 1,200,000. I understand that organization is composed of local lodges of a hundred members each; that members pay to their local lodges certain dues; that the head lodge receives from the subsidiary lodges twice a year a certain payment. If there are a hundred members in a lodge, twice a year, or every six months, \$60 is sent by the local lodge to the parent lodge for overhead charges.

According to the committee amendment here, if adopted, all that would be required would be that a certain percentage of that \$60 received by the parent lodge each six months should be applied for subscription to the papers in order to come within the requirement of the law and to entitle the publication to the privileges of second-class mail matter. There would thus be a paid subscription list, which is required of the other 26,000 papers and periodicals admitted to the mails as second-class matter.

Mr. TOWNSEND. If the Senator will allow me to interrupt him here, if that were clear in this amendment I should see less objection to the striking out of the House matter. But that is not the way the amendment reads. The amendment you have put in here reads that it shall be limited to those members who pay for it. It "shall be limited to copies mailed to such members as pay therefor, either as a part of their dues or assessments or otherwise."

Mr. BOURNE. "Either as a part of their dues or assessments."

Mr. TOWNSEND. Yes; but you say that the part which is submitted to the grand lodge can be kept out and used as payments for the subscriptions.

Mr. BOURNE. I say, if the Senator will permit me, that according to my interpretation of this and according to the interpretation of the Third Assistant Postmaster General, if the receipts given by the grand lodge to the subsidiary lodges state that of the amount received so much or such a percentage was for subscription to the periodical and such a percentage was for dues, then the department would be obliged, under the amendment proposed by the Senate committee, to construe those members as subscribers within the law.

Mr. TOWNSEND. Does the Senator think—

Mr. BOURNE. The prohibition which would be placed would be, if that amounted to 25 cents a year, for instance, or 20 cents a year, according to the apportionment that may be made for the subscription and the apportionment for dues—

The PRESIDING OFFICER (Mr. Watson in the chair). Will the Senator from Oregon kindly suspend in order that the Senate may receive a message from the House of Representatives?

Mr. BOURNE. Certainly.

CONTINUANCE OF APPROPRIATIONS—PENSION AGENCIES.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed a joint resolution (H. J. Res. 344) to continue the provisions of a joint resolution approved July 1, 1912, entitled "Joint resolution extending appropriations for the necessary operations of the Government under certain contingencies," in which it requested the concurrence of the Senate.

The PRESIDING OFFICER laid before the Senate the joint resolution (H. J. Res. 344) to continue the provisions of a joint resolution approved July 1, 1912, entitled "Joint resolution extending appropriations for the necessary operations of the Government under certain contingencies," which was read twice by its title.

Mr. WARREN. Will the Senator from Oregon yield to me for a moment?

Mr. BOURNE. With pleasure.

Mr. WARREN. The Committee on Appropriations has already had under consideration the subject matter embraced in the joint resolution, and I suggest that the joint resolution be referred to the committee. The committee is ready to report.

Mr. SMITH of Michigan. Before that is done I should like to ask the Senator from Wyoming whether this emergency legislation—I suppose it is so regarded—goes far enough to meet all urgent expenses, including the payment now due for pensions?

Mr. WARREN. It only goes so far as a one twenty-fourth of the appropriation of last year will take it.

Mr. SMITH of Michigan. I should like to know, if it is possible to obtain the information from the Senator from Wyoming, whether the failure to pass the necessary appropriation bills, which should be effective now, endangers the payment of pensions to veteran soldiers now entitled to the same under the new law?

Mr. WARREN. I will say to the Senator, first, that the due proportion for the half month—and that is what the joint resolution provides for—of course, can be had. If the conferees,

which now have possession of the pension bill, would agree upon the same and report it, there would immediately become available the proceeds of that appropriation bill.

Mr. SMITH of Michigan. Under this joint resolution—

Mr. WARREN. Regardless of this joint resolution.

Mr. SMITH of Michigan. Regardless of this joint resolution.

Mr. WARREN. Yes. That, in fact, would make this joint resolution unnecessary, as the Pension Department under the pension bill—

Mr. SMITH of Michigan. I should like to ask the Senator where the difficulty lies in making appropriations to meet such expenditures as the one to which I refer?

Mr. WARREN. I will say to the Senator that we could here now introduce a joint resolution to provide for that alone and send it to the other House, although it should naturally come from that end of the Capitol. But to undertake to amend this joint resolution—it is a matter I have had under consideration and so have the committee—seems impracticable, because this in a few words makes available for one-half month an amount equal in proportion to the standing regular appropriations of last year. Last month we provided for one-twelfth, and this is for one twenty-fourth.

Now, we find the Post Office Department short, the Agricultural Department short, and a number of other departments are short; but the circumstances are different in each case, so that no general proposition to cover them all is practicable, unless we make a general provision that each department shall spend what it requires—which, of course, is not practicable—or await the passage of the general supply bills.

Mr. SMITH of Michigan. It seems to me we are drifting into a very unfortunate situation.

Mr. WARREN. I agree with the Senator.

Mr. SMITH of Michigan. Where the responsibility rests for a failure to make the necessary appropriations I am unable to say, but the Senator from Wyoming, I think, will agree that the Government is amply supplied with the means to meet all these charges.

Mr. WARREN. It is.

Mr. SMITH of Michigan. Indeed we have an excess of revenue now that is available; but the pension checks which have gone out from the bureau ever since the pension system was established, are, because of inactivity somewhere, now to be withheld from the veterans of the war, who in their old age need this monthly payment, and I should like to see the responsibility for this delay placed where it belongs. If it lies in this Chamber, I should like to know it.

Mr. OVERMAN. Why are not the pensions paid?

Mr. SMITH of Michigan. Because there has been no appropriation made.

Mr. OVERMAN. The appropriation has been made. A joint resolution continuing the appropriations of the last fiscal year was passed 15 or 30 days ago.

Mr. SMITH of Michigan. The pension checks would go out to-day if the money was available.

Mr. WARREN. The pension checks go out once a quarter.

Mr. OVERMAN. Quarterly.

Mr. SMITH of Michigan. From official information which I received this morning from the Commissioner of Pensions, no fund is now at his disposal for this purpose.

Mr. STONE. I will say to the Senator from Michigan that the responsibility lies in this Chamber, in the fact that it did not agree to the bill passed by the House in the form in which it was sent here.

Mr. WARREN. Let me ask the Senator from Missouri to repeat his last remark. I did not catch it.

Mr. SMITH of Michigan. I will tell the Senator what the Senator from Missouri said.

Mr. WARREN. What was the last remark the Senator from Missouri made?

Mr. STONE. I said that if the Senate had agreed to the appropriation bill sent here by the House the bill would have been a law and the money would have been available.

Mr. WARREN. I presume that the Senator from Missouri thinks that that statement is true, but, unfortunately, it is incorrect. The Senate has not delayed appropriation bills. The Senator ought to know that a week or 10 days ago we passed the sundry civil bill, and notified the House by sending the bill back there that we were ready at any moment to go into conference on the bill. Still the bill has not been taken up or sent to conference, and that has been the case with other appropriation bills.

Mr. GALLINGER. Mr. President, when the District of Columbia appropriation bill went from this body with a request

for a conference it was held up for two months before the conference was granted.

Mr. WARREN. Yes; and I want to say another thing to the Senator from Missouri and the Senator from Michigan. This very matter which has been talked about was presented fully to the proper committee at the other end of the Capitol, and we have heard nothing from them.

Mr. STONE. This very bill which we are now considering here, which is occupying the time of the Senate, was passed by the House practically two months or more ago. So with other bills that have been passed by the House and sent over here, the Senate committees and the Senate itself have been holding them up.

Mr. WARREN. The Senate Committee on Appropriations has been ready to meet with the representatives of the House every day and every hour.

Mr. SMITH of Michigan. Mr. President—

The PRESIDING OFFICER. The bill will be read twice and referred to the Committee on Appropriations.

Mr. SMITH of Michigan. It is not my intention to delay the passage of the emergency resolution just reported, but there seems to be a wide difference of opinion between the chairman of the Committee on Appropriations, the Senator from Wyoming, and the Senator from Missouri.

Mr. WARREN. The record will show who is correct.

Mr. SMITH of Michigan. I do not pretend to locate the difficulty, but I do know that unless some action is taken, and taken promptly, to insure payment, the veterans of the Civil War, who are entitled to their pensions already adjudicated, will be greatly inconvenienced by the failure to receive that to which they are justly entitled, and I do not want the opportunity to pass without reminding Senators that it is not to our credit that such a condition of affairs should exist.

Mr. OVERMAN. I think the Senator from Michigan is mistaken about these pension warrants. I do not mean to say that he has not correctly stated to the Senate the information he has received, but I think his information itself is incorrect. I think the pension warrants were sent out on the 1st of July, and then the next payment will be October 1. So if these pension warrants for July were taken care of by virtue of the joint resolution which has heretofore been passed extending the appropriations, between now and October there will be no pension warrants to be sent out at all, because they are sent out only quarterly.

Mr. SMITH of Michigan. I was moved to make this statement because of a statement made to me by the Commissioner of Pensions to-day—and I think I am entirely correct—that the department over which he presides is being very seriously handicapped, and the proper treatment of veterans jeopardized, by laxity and neglect on the part of Congress to make necessary appropriations.

Mr. GALLINGER. Mr. President, I think the Senator has been misinformed, even though his informant may have been the Commissioner of Pensions. The general appropriation for pensions for this year is substantially the same as last year, only it is a little more. We passed a joint resolution continuing the appropriations of last year for the month of July, so the departments had one-twelfth of the appropriation of last year, which was almost as much as is carried in the general pension appropriation bill for this year. Now, we propose to pass an emergency measure continuing for the present month the appropriations for one-twelfth of last year.

Mr. WARREN. It is one twenty-fourth.

Mr. GALLINGER. That is true; it is one twenty-fourth. I do not see how there can be any embarrassment on the part of the Commissioner of Pensions in paying these claims.

Mr. McCUMBER. Mr. President, there is embarrassment on the part of the commissioner in paying these claims. I was informed to-day that at the end of the week there will be a deficiency of about \$30,000,000. I will not call it a deficiency, because we have not made our appropriation, but there will be new claims fully adjudicated to the extent of about \$30,000,000 before the end of this week, and there is not the money appropriated under the joint resolution or otherwise to pay that amount, and we ought to have some provision for making these payments.

Mr. GALLINGER. Mr. President—

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from New Hampshire?

Mr. McCUMBER. Certainly.

Mr. GALLINGER. Will not the Senator agree with me that if we had passed the general pension appropriation bill a month ago or two weeks ago we would not have had this emergency?

Mr. McCUMBER. That is correct. We had a deficiency last year and the year before—

Mr. GALLINGER. Yes. We may have a larger deficiency, but it would have been cured by the passage of the general pension appropriation bill.

Mr. McCUMBER. It would have been so cured, and, Mr. President, I think it appropriate for me to state at this time the cause of the delay in passing the general appropriation bill for pensions. We have for nearly two months had the matter under consideration day in and day out, adjourning from day to day and sometimes for a few days. We have agreed upon every proposition but one, and that proposition is one that relates to general legislation; and it is the opinion of the conferees on the part of the Senate that when either House seeks to make entirely new legislation or unmake old legislation, which is exactly the same thing, upon an appropriation bill, if it is impossible for the conferees to agree, that House which asks for the repeal of the old legislation should be the one to yield in matters of that character, if it is purely new legislation and not necessarily pertinent to the appropriation bill.

We have been unable to agree upon that point. The Senate conferees have gone halfway—I think a little more than halfway—in their propositions in order to secure an agreement which would allow us to put the bill through.

Mr. OVERMAN. What is the character of this general legislation?

Mr. McCUMBER. The general legislation is to repeal the old law providing for pension agencies.

Mr. OVERMAN. The Senate holds out. The reason we have no bill is because the Senate wants to keep in these agencies, the abolition of which has been recommended by the department.

Mr. McCUMBER. No; the Senator has got it wrong. The House holds out because it wants to repeal an old law, and the Senate is not willing to repeal that law.

Mr. OVERMAN. The House simply fails to make the appropriation for them; is that it?

Mr. McCUMBER. Oh, no—

Mr. OVERMAN. The 17 pension agencies; and the bill as it came over here did not appropriate for those agencies.

Mr. McCUMBER. The proposed law is in effect a repeal, because it has other provisions which in effect repeal all that portion of the law relating to pension agencies.

Mr. OVERMAN. I understand that it is a repeal to the extent that it does not make the appropriation. Now, I will ask the Senator also if the abolition of these agencies has not been recommended by the department?

Mr. SMITH of Michigan. Will the Senator from North Dakota permit me?

Mr. McCUMBER. I yield.

Mr. SMITH of Michigan. I desire to say to the Senator from North Carolina that the starvation policy of another branch of Congress, which withholds support from necessary legislation in order to gratify a mistaken prejudice against a few pension agents, may operate very disadvantageously to those who are entitled to their pensions.

Mr. OVERMAN. It might be, I will say in reply to the Senator from Michigan, that a stubborn Senate would rather keep in 17 pension agents than let the old veterans have their money.

Mr. SMITH of Michigan. No; a loyal Democrat would rather support the mistaken policy of his party in another Chamber and attempt by indirection to weed out a few appointees than pay the soldiers' pensions now due.

Mr. OVERMAN. Another party, your party, and the Democratic Party, to which I have the honor to belong, both have agreed to this policy recommended by your administration.

Mr. SMITH of Michigan. Oh, no, Mr. President. I do not think the Senator from North Carolina is correct. I know of no agreement in this Chamber or among Senators or anywhere else to put on an appropriation bill legislation of this character.

Mr. OVERMAN. The House just failed to make the appropriation.

Mr. SMITH of Michigan. Yes; they failed to make the appropriation. It is an old policy; if they are unable to accomplish their purpose directly they choose this method of strangulation.

Mr. OVERMAN. Does not the Senator know—

Mr. SMITH of Michigan. It has been done before. It has been done by the Democratic majority before.

Mr. OVERMAN. I am told that in the House of Representatives there were only 17 votes against this policy.

Mr. SMITH of Michigan. There is singular unanimity over there when it comes to official reform, they are even willing to

withhold pensions from deserving soldiers in their old age, a form of contempt sometimes shown upon other fields of controversy, and I hope that kind of policy will never be approved in this Chamber.

Mr. McCUMBER. Mr. President, there is a simple way out of this proposition. If there are only 17 Members in the whole House against the proposition of continuing these agencies, it will probably not take them 17 minutes to put through a bill of that character, and if a bill of that character comes before the Senate and is referred to the Committee on Pensions, I think I can guarantee that it will not take 17 minutes more for that committee to report the bill into the Senate and allow the Senate to act upon it. It is a matter purely of changing our old law, and is not necessarily a proper matter for an appropriation bill, pure and simple.

I would say, let us pass the appropriation bill for this year, and then, if we want to change our law to take effect at any time, let it be done under the general bill, not attached to an appropriation bill; and you can make it take effect immediately or take effect at any time in the future. You will then, if you pass it, cut off so much of the appropriation as has been made for that specific purpose. There is nothing to be gained that I can see in insisting that this bill relating to pension agencies should necessarily be attached to the appropriation bill.

Mr. STONE. Mr. President—

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Missouri?

Mr. McCUMBER. I yield.

Mr. STONE. The old soldiers are entitled to the sympathy of the people and the aid of the Government. They are living along in the shadow of what is the final sunset of life. The House of Representatives, recognizing the duty and the obligation of the Government in their behalf, has passed a bill making appropriations to pay the deserved pensions to these old veterans. But the passage of that law is obstructed and held in abeyance here in the Senate by what and why? As I understand the situation and the facts, the House put into this bill a provision dispensing with a number of superfluous officeholders. Perhaps it would be more accurate to say that it failed to make provision for the continuance of a number of high-paid officials burdening the pay roll of the Government, not soldiers, but civilian appointees. My friend from Michigan [Mr. SMITH] says to me that some are soldiers. Possibly that may be so, but for the most part they are men who were never upon a field of battle nor in the hearing of the sound of war. They have been appointed from different States as a part of the official patronage of those who had influence with the Government, holding these places and drawing large salaries, said to be useless places, not necessary to the efficient discharge of the duties of the department.

Mr. GALLINGER. Mr. President—

Mr. STONE. Just a moment and I will yield to the Senator. As I understand the facts to be, the department itself has said that these officials can be well dispensed with, without injury to the public service, saving thousands and tens of thousands of dollars to the Treasury. Yet the old soldiers are held at arm's length waiting for their pensions upon a contention made by the Senate that these official favorites, pensioners themselves on the Public Treasury, shall be kept in their places.

Mr. GALLINGER. Will the Senator yield to me now?

Mr. STONE. I yield with pleasure.

Mr. GALLINGER. I will leave the matter as to the discussion of the pension agencies to the Senator from North Dakota [Mr. McCUMBER], the chairman of the committee; but I know the Senator from Missouri wants to be accurate. When the Senator from Missouri says these pension agents are not as a rule old soldiers he is incorrectly informed. We have three pension agencies in New England, and the agent in each case is a soldier of great distinction. They are men who served long and faithfully and gallantly.

Mr. CULLOM. In Illinois he is an old soldier.

Mr. GALLINGER. In Illinois he is an old soldier; and I think, as a rule, they are old soldiers. There may be exceptions, but the Senator made the statement quite too broad on that point.

Mr. STONE. I did, perhaps, in the first instance, but I modified it, saying on the authority of my friend the senior Senator from Michigan, that there are among these agents some old soldiers.

Mr. GALLINGER. I think the rule is that they are old soldiers. There may be some civilians.

Mr. STONE. But if they were all old soldiers, I do not see that it would change the absolute question before the Senate and before the country. If they are old soldiers, deserving

pensions, they are drawing them, and in order to maintain them in official place, with an additional salary, hundreds of thousands of others who have no places of that kind should not be kept out of their rights.

Mr. McCUMBER. Mr. President, let us get at the truth of this matter. The Senator from Missouri says that the House passed an appropriation bill and the Senate has been holding up that appropriation bill. Nothing could be further from the truth. The House passed an appropriation bill and they attached to that appropriation bill another matter, which repealed a law upon our statute books. The Senate immediately took up that appropriation bill, and in due and proper time passed the appropriation bill. So the Senate passed the bill appropriating money for the pensions to be paid out during the fiscal year from July 1, 1912, to June 30, 1913. They passed that some two months ago, I think.

That bill went back to the House. The House practically says by its action, We will not agree to an appropriation bill pure and simple. We will insist upon a rider, which affects general legislation and repeals an old law, and we will starve you into submission. We reply, Let the old law take its course and let any law to repeal it take its chances before the two Houses. We are perfectly willing to do that, but let us appropriate the money to pay the old soldiers now and let us deal with this question of general legislation, or the repeal of any other legislation, in a separate bill.

Mr. BRYAN. Mr. President—

Mr. McCUMBER. In just one moment. The two Houses disagree upon the question whether or not the pension agencies should be disposed of. Let us lay that aside and let us go ahead and provide an appropriation for carrying out the law as it now exists. That is what the Senate offers to do. The House fails to do that.

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Florida?

Mr. McCUMBER. I yield.

Mr. BRYAN. I know the Senator from North Dakota desires to be accurate. I do not think he is exactly accurate in his statement that the House added new legislation on the bill and the Senate struck it off.

Mr. McCUMBER. Let me—

Mr. BRYAN. My recollection is that the bill as it came to the Senate and to the Senate committee was an appropriation bill pure and simple; that it did not provide for the payment of expenses to keep in operation 17 pension agencies outside of the main office at Washington, and that the Senate committee added a sufficient appropriation to keep those 17 pension agencies in existence, notwithstanding the fact that only the 17 Congressmen from the districts affected voted against the House bill as it passed, and notwithstanding the fact that the Commissioner of Pensions and the President of the United States recommended that those 17 useless agencies be abolished.

So I hardly think it is fair, Mr. President, to say that the Senate committee offered to put it back into the shape of an appropriation bill. It was nothing but an appropriation bill when it came to the Senate. The House has a right to refuse to continue those 17 pension agencies if it desires to do so. It was an amendment of the Senate put on in committee and adopted in the Senate that has caused whatever delay has existed.

Mr. McCUMBER. Mr. President, any provision in a bill which repeals an old law is new legislation. It changes the law. The present law provides for 18 agencies.

Mr. BRYAN. Mr. President—

Mr. McCUMBER. Any law which abolishes those agencies, directly or indirectly, changes that law, and a refusal to appropriate—

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Florida?

Mr. McCUMBER. In just one moment. A refusal to appropriate for the places is the equivalent of abolishing them. But the House did not stop there. It not only refused to appropriate for those agencies, but it provided specially for the transfer of the records of those agencies from the several points where they are located to the city of Washington, and thereby completed the annihilation of those agencies.

Now, that is a new proposition. We differ on whether it would be for the interest of the Government to abolish those agencies. With a fair difference the Senate conferees have offered to recommend in this bill an investigation by the executive department into the necessity for continuing those agencies, and if the executive department reports after an investigation that an economical and efficient administration of the Government will justify the abolition of those agencies, the President will be directed and authorized to abolish them.

Mr. BRYAN. Mr. President—

Mr. McCUMBER. We have gone that far, and we stand ready to recommend to the Senate the adoption of that proposition. If it is established to the satisfaction of the Interior Department and the President to-day, or the President who may be our President next year, that we should not continue those agencies, he would have the authority under the Senate proposition to abolish them. We have gone that far, and I insist that the House ought in good faith to take that proposition off the bill and let us proceed to make the appropriations necessary to pay the soldiers what may be their due the next quarterly pay day.

I yield to the Senator from Florida.

Mr. BRYAN. Mr. President, regardless of the question whether the Senate added new legislation or not, is it not true that the simple fact remains that the only thing keeping this appropriation bill in conference is that the Senate conferees stand for continuing the 17 pension agencies that the President and the Commissioner of Pensions have already recommended should be abolished?

Mr. McCUMBER. Let me ask the Senator when and where has the Commissioner of Pensions recommended that these pension agencies should be abolished?

Mr. BRYAN. The Secretary of the Interior or the Commissioner of Pensions.

Mr. McCUMBER. When?

Mr. BRYAN. In the report last year.

Mr. McCUMBER. I should like to see the report.

Mr. BRYAN. I have it not here.

Mr. McCUMBER. I think the Senator is mistaken. I think he will find no recommendation of that character. The commissioner has not made a recommendation one way or the other.

Mr. BRYAN. Regardless of that, that is the only matter in difference that is keeping the bill in conference, is it not?

Mr. McCUMBER. All that has been done is the testimony taken before the committee some two years ago, and no recommendation has been made by the Secretary of the Interior, by the President, or by any Commissioner of Pensions. The Senator is mistaken.

Mr. BRYAN. I will ask the Senator this question, then: If the Senate conferees will agree to the abolishment of these 17 pension agencies, is there anything to keep this appropriation bill in conference?

Mr. McCUMBER. I suppose if the House would attach any other legislation upon the bill and ask the Senate to agree to it, and the Senate would agree to changing some other law, they might secure the appropriation.

Mr. BRYAN. Will the Senator answer the question I asked him?

Mr. McCUMBER. As has been suggested to me, we might pass all the appropriation bills in a very short time if we would yield everything.

Mr. BRYAN. Is there anything else keeping the pension appropriation bill in conference except the refusal of the Senate conferees to resist the amendment and keep the 17 pension agencies in force?

Mr. McCUMBER. Is it anything except the refusal of the House conferees to leave out of the bill legislation that does not necessarily belong to it?

Mr. BRYAN. What legislation is the House trying to keep in the bill?

Mr. McCUMBER. I think we have been talking about that legislation for a great while.

Mr. BRYAN. The House wants to take away the appropriation to maintain the 17 pension agencies that are said to be useless.

Mr. McCUMBER. Let us put it in clear and concise English. The House desires to abolish the agencies.

Mr. BRYAN. Certainly.

Mr. McCUMBER. The Senate by its vote desires to retain those agencies, and that is the issue.

Mr. BRYAN. Yes.

Mr. SMITH of Georgia. That is all there is.

Mr. WARREN. If Congress carries out the law in making appropriation in the regular way in the appropriation bill it would provide for those agencies, would it not?

Mr. McCUMBER. We now have the law on our statute books. It is a question whether we will appropriate to carry out that law or whether we shall change that law.

I submit that when there is an insistent and a grave difference between the two Houses upon an appropriation bill the House which seeks to interject legislation which abolishes or repeals older legislation it should be allowed to come up as a distinct matter and not upon the appropriation bill.

Mr. REED. Mr. President—

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Missouri?

Mr. McCUMBER. I yield to the Senator.

Mr. REED. I concur in the view of the Senator from North Dakota that the situation is a most grave one, the gravest imaginable that could be put up to Republican conferees at this time. The proposition to abolish offices held by Republicans at this time is not only grave, but it is tragic.

Mr. WARREN. Mr. President—

Mr. BRYAN. Will the Senator from Wyoming allow me to suggest one word further?

The PRESIDING OFFICER. Does the Senator from Wyoming yield to the Senator from Florida?

Mr. WARREN. I yield.

Mr. BRYAN. I will state for what it is worth, that I understand from the Senator from Indiana [Mr. SHIVELY], who has been on the Pension Committee for a number of years, that 3 of these agencies were established by statute and the other 14 were established in pursuance of Executive order.

Mr. McCUMBER. Mr. President, so much the less reason for one of the branches of Congress insisting upon putting into a positive law that which the President has a right to do without any law. If the President, without any law upon the statute books, can abolish 14 out of 17 or 15 out of 18 agencies, then there is no crying necessity for a law upon this subject. The fact that the President has not done so is some argument, and convincing possibly to some of us, that the change ought not to be made.

Mr. BRYAN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Wyoming yield further to the Senator from Florida?

Mr. WARREN. Certainly; I yield.

Mr. BRYAN. If the House refuses to give money to the executive department to keep in existence the establishment of them, would it not amount to the abolishment?

Mr. WARREN. As I have stated, this legislation is hardly such that it can be now safely amended, because it must reach and secure the signature of the President to-day. I desire to say, with reference to all that has been said as to appropriations for pensions, that the Treasury has plenty of money to pay pensions when they are due, and, so far as I am concerned—and I believe the Senate Committee on Appropriations feels the same way—we are ready to pay that money out as fast as it falls due in the proper way.

I now report from the Committee on Appropriations the House joint resolution No. 344 and ask for its present consideration.

There being no objection, the joint resolution (H. J. Res. 344) to continue the provisions of the joint resolution approved July 1, 1912, entitled "Joint resolution extending appropriations for the necessary operations of the Government under certain contingencies," was considered as in Committee of the Whole. It provides that the provisions of a joint resolution entitled "Joint resolution extending appropriations for the necessary operations of the Government under certain contingencies," approved July 1, 1912, shall be extended and continued in full force and effect for and during the first half of the month of August, 1912.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

POST OFFICE APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 21279) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1913, and for other purposes.

Mr. TOWNSEND. Mr. President, I should be very much better pleased with the House provision than with any of the suggestions which have been made. Nevertheless, I realize that this is a question about which there is a great difference of opinion. I am as anxious as the chairman or any other Member to harmonize our differences and get at the thing we all believe is just and equitable. I understand that the suggestion has been made for an amendment here. If the chairman has it, I would be glad to have it stated.

Mr. BOURNE. I will send to the desk an amendment to be proposed in the first line on page 37 of the bill.

The PRESIDING OFFICER. The Secretary will read the amendment to the amendment for information.

Mr. BOURNE. I think it will eliminate any uncertainty the Senator from Michigan seems to think there might be in the proposed committee amendment.

The SECRETARY. On page 37, line 1, after the words "sample copies," insert:

Provided further, That subscriptions by the respective lodges of the aforesaid fraternal societies, unions, and organizations in behalf of their bona fide paying members and receipts to the lodges for their members shall be evidence of subscription and payment, and individual subscriptions and receipts shall not be required.

Mr. TOWNSEND. Mr. President, I recognize the principle that is intended to be carried by those words, but it seems to me that the word "lodges" is hardly a sufficiently comprehensive word to cover literary societies, labor unions, and the other orders which are hoping to receive a benefit under this particular provision.

Mr. JONES. Mr. President—

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Washington?

Mr. TOWNSEND. I do.

Mr. JONES. I should like to know what is meant by bona fide paying members. Does it mean subscription-paying members or dues-paying members, or what?

Mr. TOWNSEND. I take it what is meant there is dues-paying members.

Mr. JONES. All the members are dues-paying members, or they are supposed to be. Does it mean subscription to their local paper? It seems to me that that is very indefinite in itself.

Mr. TOWNSEND. The object of putting in bona fide members there is to obviate the possibility of papers being issued to be circulated at a nominal price or for a special and limited purpose rather than for the enduring purposes of the orders themselves.

Mr. JONES. I appreciate what the object is; but it does not seem to me that the language covers the object sought to be attained.

Mr. BOURNE. The purpose of the language in the amendment just sent to the desk is to prevent any members of societies who may make no payment whatever or pay any dues of any nature from being entitled to the privileges under the proviso should it be adopted; that they have to be bona fide paying members of their societies. Then, with the provision which precedes, it would enable the subscriptions paid to a subsidiary unit of the main or parent society to be considered as a subscription to their papers under this authorization.

Mr. JONES. If the Senator will permit me, suppose the society members pay 5 cents or 10 cents dues, would that be a bona fide paying membership for a paper that they might issue?

Mr. BOURNE. I should so imagine, yet under this provision—

Mr. JONES. In other words, a bona fide paying member means a member who pays dues?

Mr. BOURNE. Who pays dues in the organization.

Mr. JONES. Dues paid to the organization not as a subscription to a paper?

Mr. BOURNE. Not as a subscription to a paper, except that part of his dues would be a subscription to the paper.

Mr. BRISTOW. Mr. President—

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Kansas?

Mr. BOURNE. With pleasure.

Mr. BRISTOW. I should like to inquire why a publication of this kind should not conform to the same rules as all other publications in regard to subscriptions and advertising? This is not a benevolent publication. If it were a benevolent publication, there is not any reason why the rules that apply to second-class matter should not apply to it. Practically all these publications are printed by members of the society for profit, and the profits from the publications go into the pockets of the publishers.

Mr. TOWNSEND. Will the Senator suggest some such publication that comes under this head?

Mr. BRISTOW. I know a number of them. I have known in the past—I do not know that that is so now—where controversies have arisen in a State organization as to who should have the publication of the paper, because of the profits derived from its publication. The society pays the publisher for a certain subscription list on account of its members.

Mr. TOWNSEND. Mr. President, so far as fraternal organizations are concerned I do not think there is a single organization in the United States that publishes a paper for profit; that is, publishes it because of the profit that might come from the paper itself. These papers are published as a part of the operations of the society itself, for the purpose of notifying members of dues that are to be paid, of special assessments levied, and of other matters of business pertaining to the operation of the societies themselves.

The Senator from New York has suggested an amendment which obviates the objections which I have just made to the proposed amendment. I will state it. It is as follows:

And provided further, That subscriptions by the respective lodges or local organizations of the aforesaid fraternal societies, unions, and organizations—

I think perhaps the word "organizations" there should be changed to "orders," because that is the word used in the bill itself—

in behalf of their bona fide paying members, and receipts for the lodges or local organizations for their members shall be evidence of subscription and payment, and individual subscriptions and receipts shall not be required.

I think that does overcome the objection which I made to the use of the term "lodges" as applied to all these societies. Mr. BRISTOW. Mr. President, the Senator from Michigan must admit that that legislation is special legislation, exempting from the rules governing the admission of second-class matter these publications.

Mr. ROOT. Mr. President—

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from New York?

Mr. BRISTOW. Yes.

Mr. ROOT. May I make a suggestion? If I thought the proposed amendment of the Senate committee, with the modification that is now suggested, did work that result, I should be against it. It does not seem to me that it does. It seems to me that it merely aims to accommodate the machinery of the law to the organization of the fraternal societies and other similar organizations.

There is a central organization by which the publication is issued and which transacts a large amount of the business necessary for the conduct of the affairs of the society; but that central organization deals not with the individual members but with the local lodges or organizations, and it is to accommodate the working of the machinery of the law to that organization that I understand this amendment has been proposed by the Senate committee. In every case the individual member of the local lodge or organization pays his subscription for the journal or publication of the society. That subscription is paid to the local organization, and the receipt for it from the local organization goes to the individual member. The purpose of this amendment is to provide that the amount included in that subscription for the journal shall be a fixed proportion—at least 50 per cent—of the general subscription price so as to assimilate these publications to all other second-class mail matter, and to relieve these organizations from the necessity of having the central office deal directly with the individual members of the lodges, enabling the central office to take subscriptions for and give receipts to the local organization instead of to the individuals. I think it leaves publications of this character, as a matter of substance, in the same position as is other second-class mail matter.

Mr. BRISTOW. Mr. President, if the Senator will provide in the bill for the system which he has just described, I will certainly offer no objection to it; but the provisions as suggested do not require the member of the local organization to say, to take an illustration, "I pay my dues, \$5, for the year, 50 cents or 25 cents of which shall be for the Sprig of Myrtle and the remainder for regular dues." If such a provision is incorporated, and the local member says that he wants a part of his dues to be applied to his subscription to the society paper, then I say that is all right, but this provision does not do that.

Mr. ROOT. Mr. President, my understanding is that he can not help it; that the members of such associations are required to pay so much a year—say \$5, and the dues, by the rules of the association, cover the subscription to the society journal.

Mr. BRISTOW. But suppose he does not want the journal?

Mr. ROOT. He can not help it; he can not be a member of the association without paying for it.

Mr. BRISTOW. But he does not have to take it. Certainly it is not proposed to enact legislation to compel him to take it, if he does not want it.

Mr. ROOT. I assume, Mr. President, that when a man becomes a member of one of these associations he becomes a member under the rules of the association. I belong to some associations in which I pay so much a year and my payment covers subscription to the journal issued. I can throw it into the waste-paper basket, if I so desire, when it is received; but every payment certainly is made under the rules of the association, and under those rules the payment includes a subscription for that publication; and I can not help it, except by severing my connection with the association.

Mr. WORKS. Did the Senator know that that was a part of the rules?

Mr. BRISTOW. Will Senators advocate such legislation as that and then complain about burdening the mails with second-class matter at a great loss? Will they force upon men publications which they may not want, give those publications special privileges under the rules governing second-class mail matter, and then say that we ought to raise the second-class rate because the mails are burdened too much with second-class matter?

Mr. WORKS. I should like to ask the Senator from New York if he knows, as a matter of fact, that the rules to which he has referred do require a member of the association to take the society's journal and make payment for it.

Mr. ROOT. This legislation contemplates precisely that situation.

Mr. WORKS. But I understood the Senator from New York to say that the rules of the organization require members to take the journal.

Mr. ROOT. The rules of the organizations to which I referred, of several of which I am a member, do require the payment of so much money, which includes, among other things, payment for the journal, and I can not belong to the association without paying that money for the journal.

Mr. WORKS. Of course, if that be so, we can legislate with respect to that condition of things. I only wanted to know whether or not that was the fact.

Mr. ROOT. Here is the Senate committee amendment:

Provided, That the circulation through the mails of periodical publications issued by, or under the auspices of, benevolent or fraternal societies or orders, or trades-unions, or by strictly professional, literary, historical, or scientific societies, as second-class mail matter, shall be limited to copies mailed to such members as pay therefor, either as a part of their dues or assessments, or otherwise, not less than 50 per cent of the regular subscription price.

And so forth.

Mr. BOURNE. I should like to ask the Senator from New York a question. He certainly does not advocate legislating according to the rules, regulations, and by-laws of fraternal organizations, but that the by-laws, rules, and regulations of such organizations must conform to legislation enacted by Congress?

Mr. ROOT. Of course.

Mr. BOURNE. Mr. President, I will ask the Secretary to insert in the proposed amendment I have sent to the desk, after the word "lodges," the second word in the second line, the words "or local organizations"; then strike out "organizations," the second word in the third line, and substitute in lieu thereof the word "orders"; and after the word "lodges," the fifth word in the fourth line, insert "or local organizations." I ask the Secretary to read the amendment with the changes I have just suggested.

The PRESIDING OFFICER. The amendment will be read as requested.

The SECRETARY. On page 37, line 1, after the word "copies," at the end of the committee amendment, it is proposed to insert the following proviso:

And provided further, That subscriptions by the respective lodges or local organizations of the aforesaid fraternal societies, unions, and orders in behalf of their bona fide paying members and receipts to the lodges or local organizations for their members shall be evidence of subscription and payment, and individual subscriptions and receipts shall not be required.

The PRESIDENT pro tempore. The question is upon the adoption of the amendment proposed by the Senator from Oregon.

Mr. JONES. I desire to ask the Senator from Oregon why that does not make this proposed amendment practically the same as the House provision? If so, why complicate it with all these different suggestions? Why not adopt the House provision?

Mr. SMITH of Georgia. Mr. President, I think I can answer the Senator. Some of these publications are used exclusively for advertising purposes; they do not go to members at all. They have not a pretense of a list of subscribers, and they are not circulated as the result of subscribers' dues or as the result of payment, but are sent or not sent at the option of the organization. They are used largely to be sent into territory ahead of agents who go to seek memberships. They in no sense fall within the class that would justify their being accorded the second-class mail privilege. The real effort of the committee was to limit the advantage of second-class rates to those organizations which send out their publications to their membership as part of their subscription dues or send them to them by straight subscription.

Mr. JONES. I understood from the Senator from Oregon that the publications to which the Senator from Georgia has referred are now excluded by law?

Mr. SMITH of Georgia. I do not think they will be by the House provision, though they have been heretofore. I think the House provision is broad enough to let them also come under this system.

Mr. TOWNSEND. Does the Senator think it is broad enough to repeal the law of 1879 in that respect?

Mr. SMITH of Georgia. Yes; we thought that it was broad enough to do so. It allows them all the second-class mail privilege.

Mr. TOWNSEND. I do not so consider it, because the bill expressly provides that papers issued for advertising purposes only can not be admitted to the mails as second-class matter; but I quite agree with the Senator that if there is any doubt about that proposition, it ought to be resolved.

Mr. SMITH of Georgia. What we are proposing to exclude is not what the bill refers to as publications solely for advertising purposes. That refers to publications filled with advertisements and distributed for advertising purposes. These are lodge papers sent out in many instances without paid advertisements to advertise the order, but not sent to members. We felt that that kind of publication ought not to go on the same basis as other publications with bona fide subscribers. We thought we had worked out a plan that would broadly protect all of the real subscribers, including lodge members who obtained their papers through payment of dues to the lodges, and we were seeking to avoid the other class.

Mr. REED. Just a word, Mr. President, with reference to this matter. I think the amendment which is proposed obviates the difficulty which the Senator from Georgia [Mr. SMITH] thinks exists in the House provision. I hope that the amendment or at least a similar proposition will be adopted. I confess that I have no sympathy with an effort to hamper fraternal and benevolent societies and organizations in their effort to extend their membership and influence.

Mr. BOURNE. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from Oregon?

Mr. REED. I do.

Mr. BOURNE. If the Senator will allow me, I should like to ask him if he has seen any evidence on the part of the committee or in the amendment to try to hamper these societies in their efforts toward expansion?

Mr. REED. I exculpate the Senator from criticism. I had no thought of criticizing him. His conduct in this matter is beyond criticism, and my regard for him is such that I would not criticize him even if I thought he deserved it. [Laughter.] There has been, however, a disposition to deny organizations of the character referred to in the bill the opportunity to reach their membership through periodicals published by the societies. Of course, we all understand that if an organization is not a good-faith organization, if it is a mere paper concern, maintained for the purpose of defeating the object of the law, then, like any other fraud, it ought to be excluded from the benefits of the law; but it does seem to me that the National Government can well afford to treat with generosity the class of organizations referred to in this bill. They do not exist for pecuniary profit; they are organized for the purpose of promoting morals, patriotism, and education. I say, without qualification, that, next to the church itself, these societies are conservators of morals and that their work has been universally for the benefit of mankind.

In order to propagate their work, they find it necessary to publish papers which circulate among the members and advise the membership with reference to the progress of the order, the questions that interest the order, and, generally, with regard to questions of morals and even of religion. Organizations of that kind existing in good faith ought to have the right to send their papers through the mails certainly upon as favorable a basis as newspapers, which are printed and published for profit, and I trust that the legislation to be enacted here to-day will remove from the path of those societies the obstacles that have been placed there by what I have always regarded as purely arbitrary rulings by the Post Office Department.

I think that originally the Post Office Department aimed to reach periodicals that were simply money-making devices and were devoted to advertising schemes alone; but in laying down their rule they made a rule so broad that when they came to apply it, it included a class of publications which do much good in the country. There can be no question, speaking of the proposition in the large sense, that these papers are necessary to the organizations, and that the organizations themselves tend to build up homes, to improve society, to purify morals, and to teach the doctrines of humanity; and the Senate of the United States can not afford to put itself on record as opposing that class of publications and burdening them as ordinary financial

schemes—I will qualify that term and say as ordinary financial ventures—in the shape of ordinary newspapers are not burdened.

I believe we ought to pursue a broad policy with regard to all means of communicating thought to our people; that the Post Office Department ought to be maintained so that every periodical of every kind that conveys useful information to the people and is devoted to decent and proper objects ought to be carried to the people as cheaply as it possibly can.

Mr. BRISTOW. Mr. President, I desire to say, in regard to fraternal publications, I believe they should have the same rights and privileges accorded to other publications; that there should not be the restrictions that have been heretofore imposed upon them; but I do not believe the bars ought to be thrown down and the opportunity given for papers to be published under the auspices of organizations which are practically of no consequence, which take advantage of this privilege in order to circulate through the mails purely advertising matter. The Post Office Department for many years has been struggling to eliminate from second-class mail many publications which are not legitimate newspapers or literary publications, but are circulated in order to carry advertising of various kinds and are purely advertising sheets.

•There have been built up in certain centers many publications of enormous circulation without a genuine subscription list, sent miscellaneous through the mails over the country. At times they have circulated by the million. I now have in mind a publication that employed one girl at \$8 a week as the entire editorial force, and the circulation of that alleged magazine was more than 1,000,000 copies per week. Carloads of them have been carried through the mails. If we open this door wide enough so that any alleged society may be organized and be entitled to the privileges of second-class matter for its publication, the same abuses which formerly existed and which the department has been trying to correct will be aggravated. My purpose is to protect the mails against this improper use of the second-class privilege. The chairman of the committee thinks that the amendment offered by the Senator from New York [Mr. Root] will work that result; I doubt it very much; but I am willing to accept his judgment as to the matter, because he has given it more detailed attention than I have. I regret that the amendment as it came from the committee could not stand unamended, because I think it amply protected legitimate publications, as well as protecting the mails from illegitimate publications.

Mr. ROOT. Mr. President, the only object of the suggestion that I made was to reconcile the difference which seemed to imperil the amendment as reported by the committee, to which I am quite ready to agree. I thought the difference could be reconciled by the addition of the few words I have suggested without imperiling the efficacy of the committee amendment. I had no other interest in it, and I care nothing further about it.

Mr. STONE. Mr. President, before a vote is taken on this amendment I should like to be advised by its proponent, the chairman of the committee, exactly what the difference is in legal effect between the language contained in the bill as it came from the other House and the language contained in the amendment now pending. The proviso in the bill as it came from the other House is in this language:

Provided, That the circulation through the mails of periodical publications, issued by or under the auspices of benevolent or fraternal societies or orders or trades unions, or by strictly professional, literary, historical, or scientific societies, as second-class matter, shall be limited to copies mailed.

I stop there, for up to that point the language of the amendment proposed to the bill as it appears here is identical with the text of the House bill; but the House bill proceeds to say:

Shall be limited to copies mailed to members—

Now—

exchanges, and bona fide subscribers, together with 10 per cent of such circulation in addition as sample copies.

The Senate committee amendment provides:

Shall be limited to copies mailed to such members as pay therefor, either as a part of their dues or assessments, or otherwise, not less than 50 per cent of the regular subscription price.

Then follows, both in the text of the House bill and in the amendment, substantially the same provision having reference to the mailing of sample copies; the House provision being that they may mail 10 per cent of such circulation in addition to what preceded as sample copies. The amendment is, to be mailed "to exchanges, and 10 per cent of such circulation as sample copies."

Now, the real difference between the two is that if the amendment is agreed to instead of allowing admission to the mails of a class of journals described, there would be a limitation upon the admission that 50 per cent of the standard price of the journal shall be paid.

Mr. BOURNE. By the member.

Mr. STONE. Is that correct?

Mr. BOURNE. The Senator from Missouri has answered his own question in the presentation he has made. The only difference between the proposed Senate amendment and the way the proviso was in the House bill is that there is inserted the requirement "to such members as pay therefor, either as a part of their dues or assessments or otherwise, not less than 50 per cent of the regular subscription price" charged to outsiders; that there shall be a constructive charge to the member from his dues or an apportionment of the total amount he pays to the society.

Mr. STONE. Under the House bill what would be the right of a publisher to send the publication to the members of his organization?

Mr. BOURNE. He would be entitled under the House bill to second-class privileges in sending to all members without any requirement that he should be a subscriber or in any way other than be a member of the organization.

Mr. STONE. Under the proposed amendment the publisher could not send—I am asking the Senator if this is correct—his publication to a member of the society who has not paid 50 per cent of the subscription price of the publication either in cash or in the way of dues?

Mr. BOURNE. Or in the apportionment of dues.

Mr. STONE. Is that correct?

Mr. BOURNE. That would be my understanding of it.

Mr. STONE. Now, how will the Post Office Department know whether A or B, to whom one of these publications is sent, has paid the 50 per cent or more of the published price of the journal?

Mr. BOURNE. By the receipt given for the payment of the dues, which specifies that a certain proportion of the amount was for the subscription to the paper and the other proportion was for the dues.

Mr. STONE. How is that account to be kept? How could it be kept? By whom is it to be kept? And to whom is the account to be reported?

Mr. BOURNE. The account would be kept in the manner in which they are usually kept, showing the amount of the revenue received; and it would simply require an additional account, showing that such an amount was allotted to the organization journal, whatever it may be.

Mr. STONE. It would require some official to keep that particular account?

Mr. BOURNE. Not at all, that I can see.

Mr. STONE. Is such an account kept now?

Mr. BOURNE. There would be a difference in the receipt. The receipt itself would say, "\$1.25 received; 10 cents for the journal and \$1.15 for dues."

Mr. STONE. The Senator means to say the receipt of the subscriber would show that?

Mr. BOURNE. Yes.

Mr. STONE. That is in his pocket.

Mr. BOURNE. The books of the organization will show as to the other.

Mr. STONE. Then is the organization required to make some report to the Post Office Department?

Mr. BOURNE. If called upon. It is not provided for here in the proposed amendment.

Mr. STONE. How then will the Post Office Department know that it has been paid?

Mr. BOURNE. In exactly the same way that is done with the number of bona fide subscribers required for newspapers and magazines to entitle them to the privileges of second-class mail matter; and if an organization were sending out its paper and the Postmaster General had any question in reference to whether it was admissible to second-class privileges under the law, I assume, under the operation of the committee amendment, if adopted, the production of the books of the organization showing it had received so much money, part being for dues and part of it being for subscription for the paper, would comply with the provisions of the proposed amendment.

Mr. STONE. I desire to say just a word or two, and I ask my friend, who has been giving the subject his attention, to hear what I say.

Mr. BOURNE. With great pleasure.

Mr. STONE. Mr. President, I am as much opposed as anybody to imposing upon the appropriations for the postal service, allowing men to take advantage of opportunities. The truth is I think a great number of publications are abusing the privilege.

Mr. BOURNE. A great many are abusive of it.

Mr. STONE. As to their being abusive I have nothing to say. But what I do say is that I have myself—and so have all Senators and most everyone else—seen publications that are filled

almost wholly with advertising, with a little reading matter between the advertisements, and reading matter of no great public value. Thousands are sent out. I think this might well be made the subject of investigation. But here are publications issued by societies engaged in different lines of work, but all work of a great public value—some charitable, some scientific, some one thing and some another, but all of great public value.

Now, I have talked with some gentlemen who are interested in these publications, and I have been impressed with this view: That so far there has been no abuse of the postal privilege; no abuse of the right of sending their publications through the mail. I do not believe there has been, so far as I have been able to see, and yet they have been going on for a long time—for many years. Is it not a fact that you are about, by this amendment, to impose an additional and, so far as experience goes, an unnecessary burden upon the societies engaged in caring for their membership, the widows and the orphans, societies eleemosynary in their nature, engaged in spreading very valuable educational information?

What is the need of it? Why should not this thing go on as it has been going on, without imposing an additional burden upon this most deserving class, which in no instance, so far as I am advised, has abused the privileges?

I know the Senator from Oregon and the Senator who offered this amendment had no thought of this kind in mind, but if the effect is to require these societies to expend a considerable sum of money in keeping these accounts, in making these official reports—

Mr. BOURNE. No reports are called for under the bill, I will say to the Senator.

Mr. STONE. Then, if they are not called for, what is the use of this provision?

Mr. BOURNE. They can be asked for; but I say they are not called for specifically.

Mr. STONE. They are not called for specifically by the very letter of the bill; but if power is put in the hands of the Post Office Department, which is urging the passage of this law, as I understand and have been informed, and if we place it within their jurisdiction to do these things, it is to be presumed that they will not allow this law to stand on the statute books as a dead letter.

They will undertake to enforce it in some way, and that means administrative methods to which these societies will be put in doing things they have not been required to do in the past, and, so far as their conduct in the past is concerned, nothing has been done to warrant any drastic legislation against them.

Mr. BOURNE. I will state that the effort on the part of the committee is simply to put all second-class mail matter on the same footing.

Mr. STONE. If the Senator will pardon me, I should like to know what the abuse is, what the evil is, that he seeks to remedy by this legislation. Has there been any abuse; is there any known evil that he seeks to correct by this legislation? If there has been, what is it?

Mr. BOURNE. Mr. President, I will say to the Senator that there is no effort or attempt to correct any abuse, so far as these societies or organizations are concerned. The effort on the part of the committee in offering the amendment is to prevent an injustice against that twenty-six thousand and odd papers and periodicals that come under the second-class privilege, which are required to have a bona fide subscription in order to make them eligible to that privilege, for which service, according to the data presented by the department, the Government receives 1 cent a pound, while the service costs the Government over 8 cents a pound, making a loss of millions of dollars to the Government, which, it is believed by some, is compensated for in the educational value of the literature.

I think all the committee recognize fully the benefits of these orders. I think they are all friendly to them. Speaking for myself, I believe that the Dodds bill as it came from the House was class legislation, and the purpose was to rectify that and to meet, as nearly as possible, the request of the representatives of the fraternal organizations, and without doing an injustice to another class of our citizens. That was the sole purpose of the committee amendment, as I understand.

Mr. CUMMINS. Mr. President, I do not believe I fully understand this matter, and while I am very sorry to prolong the discussion, there is a little information I want from somebody who has it. I will ask the chairman of the committee for it.

Is it true that under the existing law these publications with advertisements in them can not be circulated through the mails as second-class matter?

Mr. BOURNE. I will say in reply to the inquiry of the Senator from Iowa, my understanding is that under the exist-

ing law these periodicals and papers of these societies can not carry advertising matter and enjoy the privileges of second-class mail matter.

Mr. CUMMINS. Precisely. The purpose, then, of the bill, among other things, is to give to these publications the right to circulate or be sent through the mails as second-class matter with advertising in them.

Mr. BOURNE. With advertising privileges.

Mr. CUMMINS. I assume that all the members of the committee desire to extend to the associations or societies that privilege. I take it that is so, because there is no dissent from that general proposition in the bill.

Mr. BOURNE. If the Senator will permit me, I think his manner of presentation might possibly be misleading. The purpose of the committee is to require of the papers of these organizations that they shall have a bona fide subscription list, the same as other periodicals and newspapers enjoying the privileges of the second-class mail.

Mr. CUMMINS. I have not come to that. But the chief purpose of the change in the law that is proposed here is to extend to these publications a privilege which they do not now enjoy, and then other conditions seem to accompany the bill for the purpose of protecting the Government against an abuse of a privilege which is now for the first time extended.

I will not ask the Senator, the chairman of the committee, to answer the question last put, because it is rather argumentative in its form, and I think it is fully answered by the former reply; but I want to ask him one further question. Under existing law these publications, if they do not contain advertising matter, pass through the mails as second-class matter without the ceremony of individual subscriptions or individual receipts, do they not?

Mr. BOURNE. That is my understanding—that under the law of July 16, 1894, they were given this privilege, but were prohibited from carrying advertising matter and relieved of the requirements of a subscription list.

Mr. CUMMINS. Why is it any more necessary to legislate with regard to subscriptions and how they shall be made, whether through the lodges or the chief societies, or otherwise, after we have given them the privilege of carrying advertising matter, than it was before they had that privilege?

Mr. BOURNE. We have not given them the privilege of carrying advertising matter. That is the privilege they seek.

Mr. CUMMINS. I know.

Mr. BOURNE. And they want to come in with the 26,500 other papers of whom we require a bona fide subscription list, and they ask to be relieved of that.

Mr. CUMMINS. But the law now requires bona fide subscription lists. There is no law relating to fraternal society publications, so far as their subscription lists are concerned, that does not apply to every other publication in the land.

Mr. BOURNE. According to my understanding, the act of July 16, 1894, gave the publications of benevolent and fraternal organizations admission to the privilege of second-class mail matter, prohibited them from carrying advertising matter, and relieved them of any requirement of a subscription list, and in my opinion the legislation of 1894 was class legislation.

Mr. TOWNSEND. Mr. President—

Mr. CUMMINS. The Senator from Oregon knows better than I, but I did not remember at least that the law of 1894 did relieve them of the necessity of having a subscription list.

Mr. TOWNSEND. The law of 1894 did make the provision to which the Senator refers, from which I think he draws a very improper conclusion. These are the words, if the Senator will permit me:

Provided further, That such matter shall be originated and published to further the objects and purposes of the society, trades-union, etc.

Nothing was said in that law about advertising, and the department held that advertising was a matter of construction by the department.

Mr. CUMMINS. I so understood. But I ask the Senator whether there is anything in the law of 1894 with respect to the manner in which subscriptions shall be made or the evidences of those subscriptions?

Mr. TOWNSEND. There is not.

Mr. CUMMINS. That is my recollection.

I applaud very highly the purpose of the committee. I believe it has recognized what most people in this country understand to be a wise and high public policy, but what I can not understand is, when this privilege is extended with regard to advertising matter which was denied to these publications under the law of 1894 as construed by the Post Office Department, the necessity of so scrupulously guarding the subscriptions; and I can not see why the practice of the department now

enforced with regard to the subscriptions of these papers, when without advertising, should not be continued as to those papers when they contain advertising matter. I have not been able to see any difference between the two cases.

I was not able in the hasty reading of it to understand fully the amendment which has been proposed by the Senator from Michigan. I should like to have the Secretary again read the proposed amendment.

The PRESIDENT pro tempore. The proposed amendment will be stated.

The SECRETARY. On page 37, line 1, after the word "copies," it is proposed to insert:

And provided further, That subscriptions by the respective lodges or local organizations of the aforesaid fraternal societies, unions, and orders in behalf of their bona fide paying members and receipts to the lodges or local organizations for their members shall be evidence of subscription and payment, and individual subscriptions and receipts shall not be required.

Mr. CUMMINS. I see the spirit of that very clearly, but I hardly think it would conform to the practice of these societies. I doubt whether many of them, certainly not all of them, subscribe through subordinate lodges. I doubt whether a subordinate lodge makes a definite subscription for a certain number of papers. It may be so, but I doubt it.

Now, the whole purpose is to see to it that a part of the dues paid by each member shall be separated from other parts and assigned to the subscription for the paper. I suggest that instead of the amendment proposed by the Senator from Michigan—

Mr. TOWNSEND. If the Senator will permit me, I did not propose the amendment. The Senator from New York proposed it. It was submitted to me. I contend, as the Senator from New York does, that what we ought to do is to adopt the House provision; but I thought if we had to provide for subscription, in order to meet the objections of a majority of the Senate, such a provision might be satisfactory.

Mr. CUMMINS. I misunderstood it. I thought the amendment had been offered by the Senator from Michigan, although composed by the Senator from New York. But upon reflection it seemed to me that this would cover the case and would guard against the evil which the chairman of the committee feels might result from the failure to attach any conditions to this additional privilege which is being granted.

Provided further—

May I have the attention of the Senator from Oregon, because I want him to consider this amendment? It is to be added possibly at the end of the proviso we are now discussing.

Mr. STONE. At line 1, page 37.

Mr. CUMMINS. On page 37, page 52 of the information print.

Provided further, That when such members pay therefor—

I am using the same words that are used above— as a part of their dues or assessments, individual subscriptions or receipts shall not be required.

That does not enter into all the minutiae or the form of keeping accounts or anything of that sort. It seems to me to put the whole matter where it will meet the views of the chairman of the committee. If the members pay as a part of their dues or assessments, no matter to whom they pay or what may be the form of their payment, then individual subscription shall not be required.

Mr. STONE. The receipts.

Mr. CUMMINS. The chairman of the committee has just asked me to state the connection. I will show him the connection in which this amendment would appear. It is that the privilege of these societies—

shall be limited to copies mailed to such members as pay therefor, either as a part of their dues or assessments, or otherwise, not less than 50 per cent of the regular subscription price; to other bona fide subscribers; to exchanges, and 10 per cent of such circulation as sample copies: *Provided further*, That when such members pay therefor as a part of their dues or assessments, individual subscriptions or receipts shall not be required.

I submit that to the chairman of the committee as a solution of the matter.

Mr. SWANSON. I hope the chairman of the committee will accept that. There is some difficulty about this Senate substitute for the House provision. A great many members of societies are entitled to the papers as a matter of right when they pay their annual dues, and then they are required to segregate and get a settlement which requires a good deal of book-keeping and trouble. It seems to me the amendment offered by the Senator from Iowa will prevent fake societies from organizing for the purpose of getting out advertising journals and at the same time it will get rid of the difficulties of which members of these organizations have complained all the time. Anyway, the amendment can go on the bill and it will be con-

sidered in conference between the House and the Senate. I am satisfied that we can frame an amendment in conference that will suit the situation and take care of honest fraternal societies and prevent the creation of fake ones.

Mr. BOURNE. I will say I had the same idea in mind and under consideration that the Senator from Virginia refers to, that we can take this matter into conference and work it out there. I do not want to be put in a position here of accepting this amendment, because at the present time it seems to me as if it emasculates entirely the provision sought to be put forth in the Senate amendment, and simply puts the matter in the same condition that it was in the Dodds bill as it came from the House.

Mr. SWANSON. If the Senator will permit me, the Dodds bill or amendment applied to any member, whether a bona fide subscriber or not. This section applies to members who pay their dues and subscriptions.

Mr. TOWNSEND. This recognizes the subscription feature of the proposition and obviates the objection which has been made.

Mr. CUMMINS. May I suggest to the Senator from Oregon that there is a great difference between my amendment and the House provision. Of course I see no objection to the House provision, but others do. The House provision limits these privileges, among other things, to copies mailed to members. All that is required is that there shall be a mailing to members. My amendment provides that it must be paid for as a part of the dues of the association, whatever that association may be.

Mr. BOURNE. Mr. President, I should like to ask the Senator from Iowa what provision under his proviso is made for a subscription list for the periodical or paper? Where does he bring in, under that provision if adopted, the parity between conditions required of other newspapers and magazines and the fraternal organization periodicals?

Mr. CUMMINS. The subscription list under the amendment I have offered will be made up of members who have paid for the publication as a part of their dues, but in order to evidence that subscription it would not be necessary to show any direct communication between the publisher of the paper and the subscriber.

Mr. BOURNE. Then, I understand, Mr. President, it would simply be a legislative declaration that of the money received from members of organizations a part would be dues and a part would be for subscription to the paper, with no bookkeeping required and no list of subscribers other than the list of members of the organization.

Mr. CUMMINS. It is perfectly manifest that that result would not follow, because the Post Office Department could insist upon proof that the paper had been paid for by the member through the dues he had paid to his association.

Mr. BOURNE. What evidence would the association have in reference to the membership payment if it gave no receipt to its members for such payment?

Mr. CUMMINS. That would depend entirely upon the manner in which the association did business. It would have to do business so that the fact which I have recited there would appear, but it would not be an inflexible rule which would compel all associations to use the same form of receipt or of bookkeeping or of method of doing business.

Mr. GALLINGER. Mr. President, will the Senator permit me? I was called from the Chamber before the Senator offered his amendment. Therefore I am not familiar with it. I wish to cite an illustration, and see whether I may be anywhere near the idea any other Senator has of this matter. There seems to be a great diversity of opinion.

Take the National Geographic Society as an illustration, of which most of us are members, a society, I think, of nearly 50,000 people. They issue a magazine that comes to the subscribers. I think the magazine is worth about \$5 a year, and we pay \$2 a year to get the magazine. Would there be any embarrassment to that association in the matter of keeping books? I think they do not keep books; they do not issue receipts; but they simply ask a man to become a member at \$2 a year, and they send him this magazine, and that ends it.

As far as that society is concerned, I would not want to embarrass such an association. I do not know that the bill or the amendment the Senator has offered does that. I think we ought to be careful about a matter of that kind. I apprehend that nineteen-twentieths of the members—perhaps almost every member of that society—gets the magazine simply as a gratuity in one sense; yet he pays \$2 a year for membership in the society.

Mr. CUMMINS. I do not think really the amendment I have offered would differentiate that case from others, and probably

it would not relate to just the thing the Senator from New Hampshire has in mind. The law which is now proposed is intended to require the National Geographic Society, if it issues a publication and receives from each of its members a yearly due, to specify in the receipt that part of the payment which was intended as compensation for the mere privilege of belonging to the society and that part of it which was intended to pay for the paper.

Mr. GALLINGER. They would all accept one or the other, if they chose.

Mr. CUMMINS. That is the general purpose. I say—

Mr. SWANSON. I will state to the Senator from New Hampshire that under the Senate committee amendment the case stated by him could not occur. I am a member of the National Geographic Society. It issues one of the best magazines that is published. I enjoy it very much. It costs \$2 a year. The regular subscription is \$5. Under the Senate committee amendment you could not receive that magazine, because you could not receive it for less than 50 per cent of the regular price for which they sell it. It would allow a member of a fraternal order to get it at 50 per cent of the regular price included in the dues. What these fraternal orders object to in the Senate committee amendment is the condition as to fixing up the mail and the price of their subscriptions. I offered in the committee an amendment to get rid of that difficulty, but it was not favored. I proposed to limit it to members who are entitled to receive the same by the rules and regulations of the society, union, or order on account of the payment of dues, assessments, or fees. It did not try to fix the amount; it did not require a subscription list to be furnished, but in the case of a society like the National Geographic Society, by its rules and regulations anybody who was a regular member and paid his annual dues each year was entitled to the publication and that he should be considered as a bona fide subscriber. I think that ought to be done to get rid of the fake societies.

Mr. GALLINGER. Mr. President, I have no disposition to delay the consideration of this bill. Indeed, I want it hastened as much as possible, and I have only a word to say on this general subject.

I take great comfort, Mr. President, always in the knowledge that when amendments which are contested on this floor are finally adopted they go to conference, and that six wise men sit down in the solitude of the committee room and, as a rule, reach wiser conclusions than this body or the other House can in a general debate. Whatever amendment we put on this bill dealing with this matter will be subject to that crucial test in the committee room, the conference committee being composed of three Members of this body and three Members of the House of Representatives. So I feel reasonably sanguine that whatever we do, or however crude or unsatisfactory it may be, it will come out of the committee of conference in reasonably good shape.

I have a very profound conviction that we ought to deal very generously with these fraternal orders. They ought not to be subjected to harsh rules and regulations on legislation, because they are doing a work that some of us know, as the Senator from Missouri so well stated to-day, is educational, and, to use a term that I do not very much like, has a tendency to uplift humanity.

I have not any sympathy with another class of publications, and I do not know exactly how this legislation or other legislation may deal with it. I have in my mind a concern in New England that used to ship six carloads of trash each week, carried at a much lower rate of postage than enough to compensate the Government for the transportation. I have not any sympathy with that sort of literature or with concerns that engage by the wholesale in that class of publications.

Now, Mr. President, that is all I care to say. I want to record myself as voting, if I can intelligently grasp this complicated question, to do what I conceive to be the right and generous thing in so far as these literary and scientific and historical publications are concerned. I also want to vote, if I can know just how my vote should be cast, against overloading our postal cars with publications that have not any real value and that are simply published for gain, which reach enormous proportions in some instances of which I have some knowledge.

Mr. BOURNE. Mr. President, I will ask to substitute for the amendment the Secretary read the amendment of the Senator from Iowa [Mr. CUMMINS], which, as I understand, he suggests would follow the word "copies," in line 1, on page 37. I ask the Secretary to read the amendment.

The PRESIDENT pro tempore. The Senator from Oregon modifies his amendment. The Secretary will read the amendment as now offered.

The SECRETARY. At the end of the proposed committee amendment, as printed in the bill at the top of page 37, line 1, after the word "copies," insert:

Provided further, That when such members pay therefor as a part of their dues or assessments, individual subscriptions or receipts shall not be required.

Mr. SMITH of Michigan. I should like to ask the Senator from Oregon if that amendment does not vest a wide discretionary power in the department, and if it is not substantially what it exercises now.

Mr. BOURNE. I would far rather the Senator from Michigan should propound that inquiry to the Senator from Iowa, who is the father of the amendment.

Mr. SMITH of Michigan. I was not looking so much for the father as I was after the welfare of the child and to the effect of the legislation. I asked my question of the honored Senator from Oregon because I knew he had given a great deal of thought to the subject. It seems to me that the amendment makes little concession and practically reiterates the present law.

Mr. CUMMINS. The present law in that particular respect is not objectionable. The only thing in the present law which is objectionable and which is found to be a very great obstacle and, I think, an unjust hardship to the circulation of these publications is that they are not permitted to carry advertisements. The purpose of the change of the law is to remove that obstacle, but in removing it it is sought to attach other conditions, many of which I think are very wise; but among those conditions you will find language which will bear the interpretation that there must be some direct communication between the publisher of the paper and the member of the society—some receipt, some individual subscription. It is to remove any such possible interpretation in what we are now doing that I have proposed the amendment which has just been accepted by the chairman of the committee.

Answering, now, directly the question of the Senator from Michigan, I will say that the law now is that there need be no individual receipt. That is the ruling of the Post Office Department. But unfortunately that ruling applies only to papers published by fraternal societies and other societies which contain no advertising matter. We want to preserve the present interpretation of the law, so far as treating membership in a society and the payment of dues in that society as a subscription to the paper are concerned. So I think there will be no trouble along the line suggested by the Senator from Michigan.

Mr. SMITH of Michigan. My only concern in asking the question is that a bona fide circulation may not be the subject of continual review by the Post Office Department to the annoyance and injury and detriment of the publishers. Every few weeks some one is summoned before the department and required to produce again the receipts of subscribers. If they do not happen to have them on the day they are summoned they are criticized, restrained, and perhaps forbidden the appropriate use of the mails.

I have many instances in my own mind now where that has been done. I would much prefer to see the law plain, direct, and positive. If we are to enlarge the scope of the present law by providing admission of these publications to the mails, I should like to see it done in language that can not be mistaken, and not left discretionary with the Postmaster General.

These publications are entitled to fair treatment and the widest possible liberty consistent with the economical administration of the Post Office Department. I hope the law may not be left indefinite, and that discretionary power may not again be vested by Congress in these officials who, while honest, are vexatious and unnecessarily annoying to people whose vocation and employment is deserving of our solicitude. I favor the Dodds amendment, so called, in the House bill and hope it will be retained in the bill.

Mr. CUMMINS. Mr. President, I quite agree with the Senator from Michigan, but he will at once see that my amendment or the amendment which has been accepted by the Senator from Oregon, whatever else it does, restricts the field of discretion and provides positively that under certain conditions individual subscriptions shall not be required.

Mr. SMITH of South Carolina. Mr. President, I should like to ask the Senator from Iowa a question. Following the same line of argument that he has outlined in his amendment, does he not think that the House provision restricting the circulation to bona fide members of the organization is a more direct and better provision than what we are attempting to enact by this amendment?

Mr. CUMMINS. Undoubtedly; I am for the House provision; but I am doing what little I can to amend a substitute for the

House provision which has been proposed by the Senate committee.

Mr. SMITH of South Carolina. I should like to ask the Senator from Iowa another question. There is not a single amendment that has been proposed, either in committee or on this floor, the effect of which can not be avoided by the unscrupulous who may do the very thing that we are trying to keep them from doing. Does the Senator not agree with me there?

Mr. CUMMINS. Not wholly. I think—

Mr. SMITH of South Carolina. What would prevent what might be called a fake society, with only a nominal membership fee, declaring that in that nominal fee were included membership dues and pay for the paper? We do not prescribe how much the subscription shall cost; we do not prescribe how much the membership dues shall be; but we simply say 50 per cent of the regular subscription price. If they desired to send advertisements at the expense of the Government, could they not under any provision that we may make organize societies with nominal dues and load the mails, a practice which we are trying to prevent now?

Mr. CUMMINS. Undoubtedly there is a door there that might be opened by the unscrupulous, and there could be some abuse of the privilege granted; but I think, if we are not to have the House provision, that the Senate committee provision does guard to a degree the public and the Government.

Mr. SMITH of South Carolina. Mr. President, I should like to go on record here on this matter. I was in the committee when the bill was considered and, perhaps, I should have reserved the right not to accept the amendment, but in view of my study of this question I am persuaded that the discretionary powers that would necessarily arise under any amendment restricting circulation would give rise possibly to abuse on the part of the post-office authorities. I think the most direct way to reach the matter is to adopt the House provision, which says that publications may be sent to bona fide subscribers. I would prefer to see the House provision agreed to than to adopt any amendment to shut off, on the one hand, the unscrupulous and at the same time restrict the right worthy societies ought to have. I do not believe it is good policy to penalize institutions of great worth to the people because there are others that are not of great worth, and I do not see how we can afford to restrict meritorious societies by virtue of our legislation for the sake of attempting to save the Government a few dollars and in an effort to shut out some unworthy societies.

Mr. BOURNE. If the Senator will permit me, I will state that we are trying to prevent discrimination, and the remedy we think is a reclassification of the second-class mail matter under which the Government is now carrying the publications of these organizations, allowing benevolent and fraternal societies to carry advertisements, but requiring a subscription list.

Mr. SMITH of South Carolina. You have allowed them all to carry advertising.

Mr. BOURNE. No; we have not. They come here and ask to be permitted to carry advertising.

Mr. SMITH of South Carolina. But it is proposed in this bill to remove that restriction. You allow them, under this bill, to carry advertising and then provide restrictions; that is what this bill proposes.

Mr. BOURNE. This bill proposes to put them on a par with other periodicals and magazines coming under the second-class mail privilege, and nothing else whatever.

Mr. SMITH of South Carolina. Now, let us refer for a moment to those magazines and periodicals which are put on a par with the publications now accorded the second-class privilege. The latter class are not the periodicals of a society or an organization.

Mr. BOURNE. They are second-class mail matter, Mr. President.

Mr. SMITH of South Carolina. I understand; but here is the point I want to bring before the Senate: The individual publications that have the second-class mail privilege are private ventures; they have got to have pay for their publication. The others are the organs of societies or organizations, and the dues that are paid stand in lieu of the subscription price in the case of the others. They are on exactly the same plane. The dues of the organization pay for the subscription; the subscription price of the private publication is paid by the individual. Now, you extend the privilege of advertising to both and yet you do not pretend to try to control the subscription price of the private paper, but you do provide a restriction in connection with the subscription price of the organization paper.

Mr. HITCHCOCK. Mr. President, the Senator is entirely mistaken there. The Post Office Department now exercises

and has always exercised a power of supervision and inspection over newspapers and magazines. It does not hesitate to send an inspector into a newspaper office to examine its subscription list, to check up its cash receipts, and learn whether the paper is going to bona fide subscribers or not.

Mr. SMITH of South Carolina. What minimum are they allowed to charge a year?

Mr. HITCHCOCK. That varies somewhat, and I am not able to state. Of course, it depends on the periodicity, the size of the publication, and so forth. The privileges of the second-class mail have been refused to those publications that merely charge a nominal price and are essentially advertising publications.

Mr. SMITH of South Carolina. But they have no strict supervision over what shall be charged.

Mr. HITCHCOCK. They have, and they exercise it; and I think that the amendment which is offered by the Senator from Iowa is quite a happy solution of this situation. Just as the Post Office Department now enters the newspaper office and the magazine office to see whether it has a bona fide circulation as manifested by cash receipts, so the Post Office Department will enter the offices of the fraternal organizations to see whether those who are receiving the publications of such organizations are members of the society and are paying their dues.

Mr. SMITH of South Carolina. Well, why would it not be exactly parallel for the inspector to go to the secretary of the organization and find out what are the membership dues?

Mr. HITCHCOCK. That will be the practice, I understand, under the Senator's amendment.

Mr. SMITH of South Carolina. Why would it not be the practice under the House provision?

Mr. HITCHCOCK. I am not discussing the House provision. I understand the committee has accepted this amendment; and I think, as modified by the amendment of the Senator from Iowa, it offers a very happy solution of the difficulty. I think that the House provision is rather too vague. I think it might leave even more power with the Post Office Department than would the Senate amendment.

Mr. SMITH of South Carolina. Well, Mr. President, I merely wanted to record myself here as being in favor of the broadest possible liberality to the fraternal organizations. I think the difficulty has been solved in the House provision, and, while I shall not discuss this amendment further, I shall reserve the right to vote against it.

Mr. STONE. Mr. President, I desire some information, and I think the Senator from Oregon can give it to me. As I understand, there are some sixteen or eighteen million people who belong to fraternal organizations or organizations of the different classes described and covered by the provisions of the bill we are considering.

Mr. BOURNE. Does the Senator from Missouri want the answer now?

Mr. STONE. I have not yet asked the question.

Mr. BOURNE. Very well.

Mr. STONE. The societies, with this enormous membership, are engaged in a business we all consider meritorious and highly worthy in every way. I am in sympathy with the general purpose of the Committee on Post Offices and Post Roads to eliminate from the second-class mail the great mass of matter that ought not to be admitted under that classification, burdening it and entailing an enormous expense on the Government, but the publications issued by fraternal societies, in numerous instances at least, do not come within that class. I understood the Senator to say that there were twenty-six or twenty-seven thousand publications issued by somebody that are, in the main, mere advertising publications; fake publications, in a way. I do not ask the Senator, unless he cares to tell me or to tell the Senate, to just what publications he refers, but I should like to have a little more definite information as to their general class. To what kind of publications does the Senator refer?

Mr. BOURNE. I stated that there were over 26,000 newspapers, magazines, and periodicals in the United States enjoying the privileges of second-class mail; but I did not refer to them as mere advertising sheets or fake publications, but as legitimate publications. I should like to say to the Senator from Missouri—

Mr. STONE. Do I understand the Senator to say that he would refuse the second-class mail privilege to all these publications?

Mr. BOURNE. No. I said that we required from these 26,000 and odd newspapers, magazines, and periodicals that they should have a bona fide subscription list in order to entitle them to come under the second-class mail privilege.

I will also state, in reference to the membership—I understood the Senator to say that these organizations had a mem-

bership of some sixteen or seventeen million, if I correctly understood him—

Mr. STONE. That is the information I had.

Mr. BOURNE. When we had our hearings, the information we received from the representatives of the various organizations in the United States was that they had in the aggregate about 8,000,000 members in all these organizations affected by the provisions of the Dodds amendment.

Mr. STONE. Mr. President, I do not know whether we shall have a ye-a-and-nay vote on this bill. If we do not have one, I desire to say that I shall vote to sustain the House provision.

Mr. BOURNE. Mr. President, I will ask to have the Secretary read the amendment proposed by the Senator from Iowa.

The PRESIDENT pro tempore. The amendment offered by the Senator from Iowa to the committee amendment will be read for the information of the Senate.

The SECRETARY. At the end of the proposed committee amendment, at the top of page 37, line 1, after the word "copies," it is proposed to insert:

Provided further, That when such members pay therefor, as a part of their dues or assessments, individual subscriptions or receipts shall not be required.

The PRESIDENT pro tempore. The question is upon agreeing to the amendment to the committee amendment.

The amendment to the amendment was agreed to.

The PRESIDENT pro tempore. The question now recurs upon the adoption of the amendment as amended.

Mr. SMITH of Michigan. Mr. President, if in order, I move to strike out the amendment proposed by the committee, beginning with the proviso, in line 18, on page 36, and going down to the word "*Provided*," in line 1, on page 37. I make this motion for the purpose of restoring so much of the House bill as is known as the Dodds amendment, beginning in line 11 on page 36, and which reads as follows:

Provided, That the circulation through the mails of periodical publications, issued by or under the auspices of benevolent or fraternal societies or orders or trades-unions, or by strictly professional, literary, historical, or scientific societies, as second-class matter, shall be limited to copies mailed to members, exchanges, and bona fide subscribers, together with 10 per cent of such circulation in addition as sample copies.

By striking out the committee amendment we restore so much of the bill as I have just read, included in the House bill, known as the Dodds amendment.

Mr. GALLINGER. Mr. President, I suggest to the Senator from Michigan that a motion to strike out is not necessary. If the committee amendment is rejected it will restore the House provision. That is the proper parliamentary procedure.

The PRESIDENT pro tempore. The Senator is correct.

Mr. SMITH of Michigan. I quite agree with the Senator from New Hampshire.

Mr. GALLINGER. A vote to reject the committee amendment would accomplish the Senator's object.

Mr. SWANSON. Mr. President, I wish to state in connection with this matter that in the committee I offered an amendment to the House provision, which, in my opinion, would have effectually accomplished what we desire to accomplish and prevented the abuse that has been pointed out. That amendment was not adopted by the committee, and I reserved the right to urge it in connection with this matter when the bill came into the Senate. The amendment I suggested would enable a society like the National Geographic Society to send its publications to its members.

As between the Senate committee amendment and the House provision, I shall vote for the House provision in preference to the Senate committee amendment even as amended.

Mr. TOWNSEND. Mr. President, I rise to a parliamentary inquiry. As I understand, the question is upon the committee amendment as amended, and if that is voted down the House provision stands?

The PRESIDENT pro tempore. The Senator is correct. The question is upon the committee amendment as amended. [Putting the question.] The ayes appear to have it.

Mr. SMITH of Michigan and Mr. SMITH of South Carolina called for a division.

Mr. GALLINGER. I ask for the yeas and nays. A division is always unsatisfactory.

The yeas and nays were ordered.

Mr. JONES. The question is on restoring the part of the bill that was stricken out by the committee, as I understand?

Mr. SMITH of Georgia. The Dodds amendment.

Mr. BOURNE. As I understand, the vote is on the adoption of the Senate committee amendment as amended by the amendment offered by the Senator from Iowa [Mr. CUMMINS]. Is that correct?

The PRESIDENT pro tempore. That is correct. The Chair will state, in reply to the inquiry of the Senator from Wash-

ington [Mr. JONES], that nothing has as yet been stricken out of the bill, so that the question of restoration does not apply.

Mr. JONES. So the amendment of the committee to strike out a portion of the bill is not being voted upon now?

The PRESIDENT pro tempore. The Chair so understands.

Mr. JONES. That is what I want to get at.

The PRESIDENT pro tempore. The amendment is to strike out and insert, the two joined together, and the question now is upon both.

Mr. JONES. Is that the amendment?

The PRESIDENT pro tempore. To strike out and insert.

Mr. JONES. Is that the amendment we are now voting upon?

The PRESIDENT pro tempore. The Chair so understands.

Mr. JONES. That is what I want to understand.

The PRESIDENT pro tempore. The Chair will state that a negative vote will leave in the bill all that is proposed to be stricken out. The question is on the adoption of the amendment to strike out and insert, upon which the yeas and nays were ordered. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. BRANDEGEE (when his name was called). I announce my pair with the junior Senator from New York [Mr. O'GORMAN].

Mr. CLAPP (when his name was called). I have a general pair with the senior Senator from North Carolina [Mr. SIMMONS]. If he were present and I were at liberty to vote, I should vote "nay."

Mr. CULLOM (when his name was called). I have a general pair with the junior Senator from West Virginia [Mr. CHILTON]. If he were present, I should vote "nay."

Mr. McCUMBER (when his name was called). I have a general pair with the senior Senator from Mississippi [Mr. PERCY]. I am informed by his colleague that he thinks the Senator from Mississippi would vote the same as I would upon this question, and therefore I think I am authorized to vote. I vote "yea."

Mr. SMITH of South Carolina (when his name was called). I have a general pair with the Senator from Delaware [Mr. RICHARDSON]. I transfer the pair to the Senator from Maine [Mr. GARDNER], and will vote. I vote "nay."

Mr. SUTHERLAND (when his name was called). I am paired with the Senator from Maryland [Mr. RAYNER]. I transfer the pair to the Senator from South Dakota [Mr. GAMBLE], and will vote. I vote "yea."

Mr. WARREN (when his name was called). I have a pair with the senior Senator from Louisiana [Mr. FOSTER], and therefore withhold my vote.

Mr. WATSON (when his name was called). I have a general pair with the senior Senator from New Jersey [Mr. BRIGGS], which I transfer to the junior Senator from Indiana [Mr. KERN], and will vote. I vote "nay."

Mr. WETMORE (when his name was called). I have a general pair with the senior Senator from Arkansas [Mr. CLARKE]. If I were at liberty to vote, I should vote "yea."

I will also state that my colleague [Mr. LIPPITT], who is unavoidably detained from the Chamber, is paired with the senior Senator from Tennessee [Mr. LEA]. If my colleague were present and at liberty to vote, he would vote "yea."

The roll call was concluded.

Mr. OVERMAN (after having voted in the negative). I desire to inquire whether the senior Senator from California [Mr. PERKINS] has voted.

The PRESIDENT pro tempore. The Chair is informed that he has not.

Mr. OVERMAN. I have a general pair with that Senator, which I transfer to the senior Senator from Maine [Mr. JOHN-SON], and will let my vote stand.

Mr. CHAMBERLAIN. I have a general pair with the junior Senator from Pennsylvania [Mr. OLIVER]. I transfer it to the senior Senator from Nevada [Mr. NEWLANDS] and will vote. I vote "yea."

Mr. CULLOM. In order to make a quorum, I transfer my pair to the Senator from Connecticut [Mr. McLEAN] and will vote. I vote "yea."

Mr. WETMORE. I transfer my pair with the senior Senator from Arkansas [Mr. CLARKE] to the Senator from Kentucky [Mr. BRADLEY].

The result was announced—yeas 27, nays 25, as follows:

YEAS—27.

Bourne	Crawford	Lodge	Sanders
Bristow	Cullom	McCumber	Smith, Ga.
Bryan	Fletcher	Martine, N. J.	Smoot
Catron	Gallinger	Massey	Sutherland
Chamberlain	Gronna	Nelson	Wetmore
Cark, Wyo.	Heyburn	Penrose	Williams
Crane	Hitchcock	Root	

NAYS—25.

Ashurst	Martin, Va.	Shively	Thornton
Bankhead	Myers	Simmons	Tillman
Cummins	Overman	Smith, Ariz.	Townsend
Johnston, Ala.	Page	Smith, Mich.	Watson
Jones	Polindexter	Smith, S. C.	
Kenyon	Pomerene	Stone	
La Follette	Reed	Swanson	

NOT VOTING—42.

Bacon	Clarke, Ark.	Gore	Paynter
Bailey	Culberson	Guggenheim	Percy
Borah	Curtis	Johnson, Me.	Perkins
Bradley	Davis	Kern	Rayner
Brandegee	Dillingham	Lea	Richardson
Briggs	Dixon	Lippitt	Smith, Md.
Brown	du Pont	McLean	Stephenson
Burnham	Fall	Newlands	Warren
Burton	Foster	O'Gorman	Works
Chilton	Gamble	Oliver	
Clapp	Gardner	Owen	

So the amendment as amended was agreed to.

Mr. SWANSON. I desire to give notice that when this amendment comes into the Senate I am going to move to strike it out and insert the House provision with the amendment I offered to it.

PAYMENT OF PENSIONS.

Mr. McCUMBER. Out of order I wish to introduce a joint resolution and have it referred to the Committee on Appropriations and printed.

I will state that the object of the joint resolution is to provide for the payment of pensions during the time the two Houses are in conference upon the general pension appropriation bill.

The joint resolution (S. J. Res. 128) making appropriations to pay such pensions as may be due and payable on or before August 4, 1912, was read twice by its title and referred to the Committee on Appropriations.

EXECUTIVE SESSION.

Mr. CULLOM. I ask the chairman of the Committee on Post Offices and Post Roads if he is willing to give way to me to allow a brief executive session? There are some important things to be done.

Mr. BOURNE. I am very glad to accommodate the Senator from Illinois.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 22 minutes spent in executive session the doors were reopened, and (at 6 o'clock and 15 minutes p. m.) the Senate adjourned until to-morrow, Friday, August 2, 1912, at 11 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate August 1, 1912.

PROMOTIONS IN THE NAVY.

Ensign Ralph D. Weyerbacher to be an assistant naval constructor in the Navy from the 1st day of May, 1912, to fill a vacancy, and to correct the wording of a former nomination confirmed by the Senate on May 10, 1912.

Ensign Thomas B. Richey to be an assistant naval constructor in the Navy from the 25th day of June, 1912, to fill a vacancy.

The following-named lieutenant commanders to be commanders in the Navy from the 1st day of July, 1912, to fill vacancies:

Joel R. P. Pringle,
Charles J. Lang, and
Martin E. Trench.

The following-named lieutenants to be lieutenant commanders in the Navy from the 1st day of July, 1912, to fill vacancies:

John D. Wainwright,
Harry K. Cage,
Charles S. Freeman,
Robert L. Berry, and
Ward K. Wortman.

Passed Asst. Paymaster James F. Kutz to be a paymaster in the Navy from the 26th day of February, 1911, to fill a vacancy.

POSTMASTERS.

ILLINOIS.

John Murvin to be postmaster at Louisville, Ill., in place of John Murvin. Incumbent's commission expired May 11, 1912.

KANSAS.

William C. Markham to be postmaster at Baldwin City (late Baldwin), Kans., in place of William C. Markham, to change name of office.

MONTANA.

Benjamin Urner to be postmaster at Harlowton, Mont., in place of Benjamin T. Stevens, resigned.

NORTH DAKOTA.

Charles R. Kendall to be postmaster at Granville, N. Dak., in place of Jessie M. Pierson, deceased.

OHIO.

Charles E. Bake to be postmaster at College Corner, Ohio, in place of John C. Douglas. Incumbent's commission expired May 16, 1912.

SOUTH CAROLINA.

Henry W. Des Portes to be postmaster at Ridgeway, S. C. Office became presidential January 1, 1912.

TENNESSEE.

John W. Akin to be postmaster at Rutherford, Tenn. Office became presidential January 1, 1908.

E. A. Morgan to be postmaster at Huntingdon, Tenn., in place of Atlas M. Lee. Incumbent's commission expired January 30, 1910.

CONFIRMATIONS.

Executive nominations confirmed by the Senate August 1, 1912.

POSTMASTERS.

GEORGIA.

Mattie Mitchell, Acworth.

MINNESOTA.

George F. Kramer, South St. Paul.

TEXAS.

George H. Sparenberg, Big Spring.

WITHDRAWALS.

Executive nominations withdrawn August 1, 1912.

POSTMASTERS.

TENNESSEE.

Atlas M. Lee to be postmaster at Huntingdon.

William T. H. Thorn to be postmaster at Rutherford.

INJUNCTION OF SECRECY REMOVED.

Thursday, August 1, 1912.

The injunction of secrecy was removed from an agreement signed on July 20, 1912, by the plenipotentiaries of the United States and Great Britain adopting, with certain modifications therein, the rules and method of procedure recommended in the award of The Hague tribunal of September 7, 1910, for the settlement hereafter, in accordance with the principles laid down in the award, of questions regarding the exercise of the fishing liberties referred to in article 1 of the treaty of October 20, 1818, between the United States and Great Britain.

HOUSE OF REPRESENTATIVES.

THURSDAY, August 1, 1912.

The House met at 12 o'clock noon.

The Rev. William Couden, of Norwalk, Ohio, offered the following prayer:

Almighty God, our heavenly Father, grant unto us, Thy children, consciences firm yet tender, and obedience true as the path of the daily sun. We thank Thee that Thou hast not made us irresponsible like the creatures of lower orders than we; we thank Thee that Thou hast given us work to do and problems to solve. And we bless Thee that Thou hast provided us guide, counsel, and equipment for life's responsibilities. Grant, O Lord, that what we do and say to-day shall be in accord with Thy commandments, the Sermon on the Mount, and the spirit of the Cross of Christ. We offer this prayer in the name of Jesus. Amen.

The Journal of the proceedings of yesterday was read and approved.

THE COTTON SCHEDULE.

The SPEAKER. Under the order of the House—

Mr. RAKER. Mr. Speaker, I ask unanimous consent that I may address the House for five minutes on the subject of mines and mining prospects—

The SPEAKER. Under the order of the House we are to have general debate for three hours, and the following gentlemen have applied to the Chair for time: Mr. SHARP of Ohio, 40 minutes; Mr. FERGUSON of New Mexico, 20 minutes; Mr. RUCKER of Colorado, 20 minutes, and Mr. DONOHUE of Pennsylvania, 20 minutes. That makes an hour and 40 minutes. If the first three use their time, Mr. DONOHUE will only

get 10 minutes. Now, the Chair wants to inquire, because he wants to be fair about it, whether there are any Republicans here who want any of this 3 hours?

Mr. FOSTER. You might inquire whether there are any Republicans here.

The SPEAKER. The Chair wants to be fair about the division of this time of 3 hours.

Mr. FOSTER. Are there any Republicans here?

The SPEAKER. The Chair does not recognize any difference between Republicans.

Mr. BURNETT. The bull moose crowd are here.

The SPEAKER. The bull moose are just the same as any other crowd, as far as the Speaker is concerned. The Chair repeats the question, Are there any Republicans here who want any part of this 3 hours time in general debate? The Chair will try to get the gentleman from California in, but the Chair promised to recognize the gentleman from Ohio for 40 minutes.

Mr. RUCKER of Colorado. Mark me down for 10 minutes after the others get through.

The SPEAKER. If we have the 10 minutes.

Mr. FOWLER. Before the gentleman from Ohio proceeds, I will be glad to get unanimous consent to extend my remarks in the RECORD on the question of salaries of public officers.

The SPEAKER. The gentleman from Illinois [Mr. FOWLER] desires to ask unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. HOWLAND. Mr. Speaker, I make the same request.

The SPEAKER. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. FOSTER. Mr. Speaker, I would like to ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Illinois makes the same request. Is there objection? [After a pause.] The Chair hears none.

Mr. LITTLEPAGE. Mr. Speaker, I was not in the House when debate took place in reference to the anti-injunction bill, and I would like to ask unanimous consent to extend my remarks in the RECORD on that subject.

The SPEAKER. The gentleman from West Virginia asks unanimous consent to extend his remarks in the RECORD on the anti-injunction bill. Is there objection? [After a pause.] The Chair hears none.

The SPEAKER. The Chair recognizes the gentleman from Ohio [Mr. SHARP] for 40 minutes. [Applause.]

Mr. SHARP. Mr. Speaker, I only wish to express the hope that the kindly and generous applause which has greeted the announcement that I would have 40 minutes' time of the House this afternoon may be reflected in the reception which, if it is not accorded to what I shall say, may nevertheless be given to the merits of the subject on which I wish to speak. This is not a new subject, but still it is so comparatively recent in development that it seems to me it is not inappropriate, especially at this time, to talk somewhat at length upon its merits, as it involves future legislation of Congress in a number of phases in which it may be considered. It seems to me, Mr. Speaker, that it is peculiarly apropos to-day, inasmuch as very soon we shall be called to vote upon a very important question, the determination of which has engaged the attention of both branches of Congress for several weeks past and over which it appears to me we are apparently at loggerheads. However, I make the prediction, if I may assume the rôle for the time being of a prophet, that, as in most cases in the past where the two Houses have been diametrically opposed to each other, we will finally compromise, and the Senate will give way on one side, and this House will rescind its action in caucus finally voting for one battleship. This is merely a gratuitous prophecy in which I am indulging and is given for what it is worth. Surely, neither a false pride nor a stubbornness born of an unwillingness to give in should prevent this House from doing what is right.

While there was no record kept of the learned debates in our caucuses upon this subject of providing for two battleships, yet I think I may with justice say that, judging from the arguments advanced by the advocates pro and con on this question, the difference of opinion arises largely not from a lack of patriotism on the part of any of my Democratic colleagues, because we all want to provide an adequate national defense, but, rather, from a fixed opinion on the part of many that two battleships are not needed at this time. I am perfectly willing to concur in that judgment. At least I shall so vote if given opportunity, though I shall with pleasure vote for a compromise proposition involving the building of one battleship. I have from time to time, as you have, listened to the arguments

of the gentlemen who want a very great and powerful Navy. I have listened, as you have, and been highly edified, especially by those of my friend from Alabama [Mr. Hobson], and while respecting his learning and judgment—and we all have had abundant attestation of his bravery—yet this query has always run through my mind, whether in a practical sense that gentleman, with all his knowledge of our Navy's needs and the relative strength of other nations, has taken into account that we are surrounded by geographical conditions, if you please, which radically differentiate our Nation from any other nation on the face of the earth. [Applause.]

The Creator of all, who has been wonderfully kind to the people who have settled and multiplied upon our broad lands, in the process of world making ages ago spread on each side of our continent a protection that is greater than all the navies, greater than all the standing armies—an expanse of ocean waters 3,000 miles in width. Only our insular possessions are vulnerable, and we should restore and make free the Philippines just as soon as the ability of whose people to govern themselves seems assured.

While traveling in continental Europe one sees the display of military power almost at every hour and on every hand. We are to take into consideration that only an imaginary line, such as divides our States here, divides those great powers, and only a little channel, that has already been traveled by the birdman in the small fraction of an hour, separates those countries from England. And, then, contrasting our favored geographical position among the nations of the earth, it seems to me the contention for a great navy, to vie with those powers surrounded by conditions so widely different from ours, lacks force.

Mr. BURNETT. May I ask the gentleman a question?

Mr. SHARP. Yes.

Mr. BURNETT. Was the gentleman one of those who signed the call for a Democratic caucus and then bolted?

Mr. SHARP. No, sir; I was not.

Mr. BURNETT. Do you think one has a right to sign that paper and then come out and sign a paper to bolt the Democratic caucus?

Mr. SHARP. No, sir. I refused to sign that paper. [Applause.] Let me call the attention of those gentlemen who would advocate building at this time two battleships to the fact that it means an outlay of the huge sum of \$30,000,000. At this present moment the greatest concern of England and of Germany lies in their ever-increasing expense of naval equipment, and the situation seems to me much like two quarreling schoolboys, each challenging the other to knock the proverbial chip off his shoulder. The result each time is the addition of two or three more battleships. At this very moment, while England is struggling for supremacy, or rather to retain the supremacy she already has upon the seas, there is a strike of the dock laborers over in London, thousands of whom are unable to get their daily bread. The taxes upon the people have become so enormous that her own statesmen are questioning if it has not come already to a pass where England, with all her revenues, will have to borrow additional money with which to meet the constantly increasing expenses involved in keeping up her great navy. Where and when will it all end! Must a great war for supremacy actually come before a disarmament shall be agreed to? I have never been one of those who have been willing to believe that Japan, for instance—a friendly country that has been so many times cited as the enemy ever ready to come and overwhelm our shores—even if she intended war at a future time, could do more than inflict damage upon our coast cities. The minute her soldiers would undertake to invade our territory they would be met by an immense, resourceful Army, always ready for the call of duty, and would be stopped and defeated.

But I must confess that, on account of the recent developments of certain inventions which have come about within the last few years, my confidence in the inviolability of our territory from interior attack has been somewhat shaken. It is to the discussion of that new element, which has already become an important factor in the method of modern warfare, that I will devote the remainder of my remarks.

I wish to speak to-day upon the development of aerial navigation. The invention of the aeroplane—the “heavier-than-air” machine as yet only partially perfected in so far as safety is concerned—in my judgment—and I say it after careful thought, for I have given considerable time to the study of this subject—will not only revolutionize the present method of warfare, but will materially affect our methods of transportation and reach over into the scientific field of research, bringing to us truths at which we have only guessed in the past. In the brief time in which I am to speak I am going to divide my

remarks into three natural divisions which, it occurs to me, the nature of the subject permits.

I wish, first, to consider it as a means of national defense and attack; then I shall devote some time to its commercial aspect; and, lastly, I shall conclude my remarks, if I may, by a brief summary of that which, it seems to me, this new field of discovery holds in store for the world in the advancement of scientific knowledge.

Among a number of bills and resolutions which I introduced some time ago was one which called upon the Secretary of War to furnish information, to be given to this House, throwing some light on the present development of aviation in the United States, and our standing or position as compared with the advance of this science in other countries. I wish to say that if the gentlemen who hear me have not had the pleasure of reading this interesting report, contained in House Document 718, I would be very glad if, at their leisure some time—if not during the busy closing hours of this session of Congress, then at least in their vacation—they would peruse its pages.

I may at the outset say that upon the face of this report, which contains eighty-odd pages of very interesting matter, our own relative position in the field of aviation is well emphasized when I tell you that but eight pages are devoted to the development of that science in our own country of America, which gave, as we all know, the very founders, the original discoverers—Langley, the Wright brothers, Burgess, and Curtis—in this field of navigating the air by aeroplane.

If I were to use a blackboard at the front of the Clerk's desk and illustrate in another manner the relative extent of our development as compared with that of other countries in this most important work, I could draw a line at least 3 feet in length to represent the position of France, and then away down at the bottom, after such countries as Austria and Italy, I would have to draw one, not exceeding an inch in length, representing its growth in the United States. Or, if I were pictorially inclined and wished to draw upon that blackboard a modern aeroplane and give to it a width of plane of 3 feet, representing the aeroplane strength of France, taking up almost the entire size of the blackboard, I could fairly represent the relative position of the United States Government by pinning upon it one of the smallest butterflies that you may see playing about the Capitol Grounds.

Perhaps a better way of putting it in a dollars-and-cents aspect would be to say that we appropriated, as you gentlemen remember, in a bill reported out of the Committee on Military Affairs, \$75,000 for the construction of aeroplanes for the Army for the ensuing year. For a like period France contributed over \$4,000,000. Germany came a close second; and then England, Italy, Austria, Russia, and one or two others of the smaller powers.

That shows the position in which we are placed to-day, gentlemen; and it is with the hope that my efforts may at least arouse the spirit of this Congress to lend additional aid in a field of enterprise that is bound to become the most important, along the lines I have mentioned, of anything in modern times that I am making these remarks. Congress can not stop it. It can only aid in its progress.

I know, as most of you gentlemen know in a general way, the relative size of our Navy as compared with the navies of Great Britain, Germany, Japan, and France. But I wish to call your attention to a remarkable change that has come over the continental countries of Europe during the past year. We all remember the ominous headlines which appeared in our newspapers last year over dispatches giving accounts of the ever-increasing friction between France and Germany, and how it was then stated that if war came between those Governments, France would have the cooperation and friendly aid of England. Whether that was true I do not know. But I do know that some of the best experts, some of the most thorough students of the methods of warfare, have said since that time that had war been declared between France and Germany, there is little doubt but what France would have been able to literally overwhelm Germany with its fleet—I might with propriety use another expression and say flock—of bomb-laden aeroplanes.

Let me read to you in this connection the words of our Assistant Secretary of War, Gen. Robert Shaw Oliver, who has given this subject considerable attention. He says:

It is not at all impossible for several aeroplanes of the present types to start from a vessel off the Virginia Capes, fly to Washington, and each aeroplane drop 150 pounds of explosives upon the Capitol and public buildings of Washington. It is to be hoped that the aviation service of the American Army will be developed to such an extent that such a raid by hostile aeroplanes will not be successful.

I think it is but just to say that the officers of both our Army and Navy who have specialized, so to speak, upon the value of the aeroplane as a necessary adjunct to the regular equipment are entitled to much credit for the results already accomplished in this field. Without any spectacular advertising of the fact in their respective lines of work, they have greatly developed the efficiency with which the aeroplane and hydroplane can be made useful. The work of Capt. Chandler and Beck when flying, before this art had become as free from risk as improvement has now made it, has been of great value, not only in actual development but in popularizing the art among their fellow associates. Quite equal praise is due also to other officers in this work who have assumed risks that few men care to take. That these men ought to be far more liberally recognized, both in advancement in rank and pay, while detailed to their perilous duty seems too evident to need argument. I am glad to say that the House Committee on Military Affairs has already, in a measure, indorsed this view. No reward seems too great for the soldiers of other governments who risk martyrdom for the defense of their country quite as much as though they were constantly placed in the front of the firing line.

I feel confident that the kind of training which turns out, at West Point and Annapolis, the best engineers and navy experts in the world will also give to us the bravest and most skilled aeronauts, no matter whether their services are to be directed in the line of warfare or in the nobler work of increasing our knowledge for the common good of man. To this end Congress—the only branch of the Government that can give such aid—ought to make liberal appropriations. I would have a commission appointed, the personnel of which should comprise men skilled in the science, who would have authority to visit those countries abroad which have made such rapid progress in the development of various kinds of air craft. Who would doubt the value of their investigations in acquainting themselves with the systems employed in the numerous aerodynamic laboratories which are fast reducing the construction of aeroplanes down to a scientific basis and eliminating their dangers, giving to them stability and safety; inspection of the many factories turning out aeroplanes; a study of the military disposition of this "fourth-arm" service, and governmental regulations for the issuing of licenses, etc.? Or who can estimate the advance in the present state of our knowledge of this subject if the Smithsonian Institution, encouraged by a liberal appropriation of money, could be permitted to rehabilitate the laboratory of the late Prof. Langley, who early saw the necessity of such an institution?

Would not a competitive contest, authorized by the Government and conducted under certain rules and requirements suggested by Gen. Allen, of the Signal Corps, and Capt. W. I. Chambers, of the United States Navy—men who have already done so much to advance this work—be effective through the distribution of liberal prizes in securing better types of equipment, and especially of engines, for which we now have to go abroad?

Not to refer to the splendid work which is being done by several of the journals in the large cities of this country for the cause of aeronautics would be ungenerous. During the past few years they have disseminated a great amount of useful information throughout the country and have done much to arouse public sentiment in favor of its development. They have truly been the pioneers in a work which, even from a material standpoint, will prove to be of great value to our people. The only reason why we have not come to a full realization of the potentiality back of aeroplanes lies in the fact that we have had no real war. I predict that when such a war comes the base of operations will not be the surface of the earth, but up in the clouds.

The trite saying that "truth is stranger than fiction" has not only come to be generally accepted, but it is sometimes stranger than the most unbridled poetic license. More than a half century ago, as if given the power of divination, England's poet laureate wrote this stanza:

For I dilt into the future, far as human eye could see,
Saw the vision of the world and all the wonder that would be;
Saw the heavens fill with commerce, argosies of magic sails,
Pilots of the purple twilight, dropping down with costly bales;
Heard the heavens fill with shouting, and there rained a ghastly dew
From the heavens' airy navies grappling in the central blue.

Tennyson's vision is a reality of to-day. All the civilized nations—I was almost going to say except our own—have come to realize that "from the heavens' airy navies grappling in the central blue" is bound to come the greatest source of danger from attack.

Fifty years ago there were many momentous engagements between the armies of the North and South when, if one army

could have known the maneuvering for position of the hostile force only a few miles away, or with only a wood intervening, it would have been of incalculable benefit.

Do you not remember how 14 years ago our fleet was stationed for days in front of the harbor of Santiago and the question was very serious in the minds of our commanders whether Cervera's fleet was back in that landlocked harbor or whether in the nighttime it had taken wings and flown away and escaped?

If we had had an aerial Hobson flying one of these aeroplanes then, instead of heroically trying to blockade the harbor's mouth with a sunken boat he could have come back in 30 minutes and said to our commanders: "The ships of the enemy lie back of those hills. They are even now preparing to steam out in their dash to escape." He would have given their tonnage, their number, and their disposition. This is all coming to pass in the near future—nay, is now here.

The army experts abroad have referred to aviation as the "fourth arm" of the army. That is a good term, but I think of another one which seems to me quite as appropriate. I would call it the third eye, the eye that sees from the back of the head, and from which no concealment of position is possible. From this time on there will never come a war between civilized nations where either can mask its fort behind a hill or a wood and hope for one single moment to conceal the presence of its forces, because away up in the clouds there will be the far-seeing eye of the aviator, and, without having to alight, he will report back by wireless the position of every detachment of an attacking army.

May I in passing remind you of the wonderful spectacle exhibited by the Italian army in attacking the Turkish forces at Tripoli last spring. You know what terrible havoc those men up in the air created. If the contending hosts of the Greeks and Persians at Salamis twenty-four centuries ago could have foreseen these wonderful instruments of warfare, men flying in the clouds and dropping their implements of destruction upon their ships, they would have created and deified a new god to whom to attribute supernal powers of destruction, for in all their category they had no god, even in the most poetic flights of their imagination, that could rise to the heights of such an accomplished fact. Mythology gives us no instance of a Jovian power so great. [Applause.]

I am not one of those who desire war. I would like to see it eliminated, but I sometimes wonder if it will only be stopped when the means of destruction have become so deadly and have developed to such a dreadful degree of efficiency that the nation which strikes the first blow will annihilate its enemy. Then, and only then, will peace come.

Let me advance one thought along this line of building up our own national defense. Sometimes we are accused of not bringing to bear upon all subjects of legislation the same business acumen which we would use in our own private affairs. I have hardly been willing to believe this, because we have here, as our distinguished Speaker of this House has said on several occasions, an assembly of earnest and patriotic men, and he has had an experience that certainly ought to enable him to speak with knowledge. But it seems to me not an untimely question to ask of the zealous advocates of the two-battleship propaganda, why not take one battleship now, which confessedly can not be built and completed for three years, and which at the end of another 10 or 12 years will deteriorate so fast that it will be almost a useless junk heap at that time.

Conceding that this House will compromise on one battleship, why not take the other \$15,000,000, not all in a lump, of course, but extending over years to come as occasion demands, to develop this new means of national defense and national attack by buying aeroplanes? Do you know what that \$15,000,000 will do? It will buy 1,000 of the most improved up-to-date aeroplanes that are made to-day in Europe or in this country. In addition to that, it will provide the five centers of aviation which this voluminous report of the Secretary of War recommends to be established on our Atlantic seacoast, along the Great Lakes, and the Pacific slope. It will establish needed schools of aviation. It will build what is more necessary to-day than any other one improvement as affecting the development of this science—it will build a great aeronautic laboratory, of which there exist many in Europe. By connecting that laboratory with the Smithsonian Institution we shall be able to better find out the conditions of the atmosphere, the difficulties that we will have to overcome, and to provide for safety in making flights. I fear sometimes that too many of our people look upon the aeroplane as a sort of a toy, a box-kite affair, but it is one of the most practical things that is in existence to-day considering the time since it was discovered and the difficulties to be overcome. Upon its practicability let me quote from

Capt. W. I. Chambers, of the United States Navy, who recently said:

There are officers in the Navy to-day who look upon naval aviation as farcical, because they do not yet know that an instrument can be provided by which an aeroplane may be navigated out of sight from a ship at sea, with a reasonable surety of being able to go where sent and to return to the ship that sent her.

In my opinion, aviation will soon be as safe as automobiling, and its sphere of usefulness will be extended far beyond the limits of good roads.

That comes from a gentleman who is preeminently qualified to speak of the adaptability and feasibility of establishing the aeroplane both as a naval resource and an aid to the Army.

Mr. CONNELL. Will the gentleman yield?

The SPEAKER pro tempore (Mr. HAYDEN). Does the gentleman from Ohio yield to the gentleman from New York?

Mr. SHARP. I will.

Mr. CONNELL. In view of the statement by the committee that the present situation in the Navy is that it needs auxiliary attendants rather than battleships, would the gentleman recommend that the money be spent buying ships of the air rather than cruisers and colliers to serve the ships that we already have?

Mr. SHARP. I could easily effect a compromise with the gentleman on that proposition, because the amount of money involved for aeroplanes would be so absolutely insignificant. Why, we have not \$75,000 now invested in Government-owned aeroplanes to-day in existence. Two hundred thousand dollars would duplicate three times over our present equipment of aeroplanes. It is too insignificant to talk about. It has no comparison in the outlay required with the expenditure of the vast sum which you ask us to appropriate for these instruments of destruction, battleships, and so forth.

Passing on to the second phase of my subject, there is an alluring prospect in the commercial field of the development of aeroplanes. The first theorem in my geometry at school as I remember was the proposition that the shortest distance between two points is a straight line. That was the first proposition, because it was so axiomatic, so plainly apparent and evident, that the simplest mind could understand its demonstration. But, gentlemen, it is in some respects the most basic, the most fundamental. Why, do you know that the transportation corporations of this country, the railway and steamship companies, have spent hundreds of millions of dollars in trying to carry their freight along a straight line between two points?

In doing that they have had to level mountains, dig great tunnels, dredge deep channels, build expensive canals, and still they have attained the purpose only to a modified extent. They have had to cross great chasms with expensive bridges, some of them more than a mile in length, to reach and attain the shortest distance between two points. But can you conceive such a problem as that to a man who can ignore the natural obstacles on the surface of the earth? He has the ability to go over valleys, to fly aloft over mountains, over chasms, and over the ocean. There is really no topographical obstacle which he can not overcome. He has to set no expensive telegraph or telephone poles, no expensive right of way to acquire.

Awhile ago I had the opportunity, in the consideration of the Post Office appropriation bill upon this floor, to propose an amendment appropriating \$50,000 for carrying the mail by aeroplane. I think some of my friends were too kindly disposed toward me, too magnanimous to smile at some of my statements favoring the measure. But it is coming. The questions relating to navigation of the air are going to engage the attention and call for regulations of the Interstate Commerce Commission and the Post Office Department, just as the transportation problems involved in carrying freight and mail by water and rail are to be met.

Already in this city there is planned an immense aeroplane with a 100-foot spread. I went to the factory a number of weeks ago and saw, ready for shipment, an aeroplane with a spread of many feet. It was built upon the cantilever plan that it might better resist the buckling effect of sudden air pressure, and I am pleased to say, in behalf of the people of the city of Washington, that it was designed and constructed by one of its citizens, Dr. Christmas, who was a pioneer in this investigation. Within the next few days, I understand, he is going to attempt to carry several hundred pounds of mail from New York City down to the Capital City of Washington without making a stop. Within another year such feats will be very commonplace. Only last week Count Zeppelin delivered to the German Government a dirigible balloon of great size, capable of carrying many passengers. On trial tests it had sustained itself in the air without alighting, making all sorts of maneuvers, going around the north part of Germany for 10 hours, at a speed of 45 miles an hour. The speed attained by the aeroplane is already in excess

of 100 miles an hour. Even with a small, birdlike aeroplane, 11 people at a time have been carried up in the air. It would be a mistake on my part to attempt to tell of to-day's record in aeronautics, because events crowd one another so much that it is almost impossible to keep pace with the progress made. The record of ascent of 13,000 feet above the earth will soon be far exceeded, and I believe that the speed of 100 miles an hour will be increased by 50 per cent in time. Poor Vainman told me a few weeks before his tragic death that he expected to cross the Atlantic in his great dirigible. Though he died a martyr to his faith before it could be accomplished, yet others will do it in half the time the ocean grey hounds now take.

Is it dangerous? Naturally so. But do you know that whereas we have had two deaths at College Park, yet there have been 1,500 flights made? Do you realize that, with all of the deaths and accidents of which we have read, there have been over 250,000 flights made by the aeroplane? The deaths from accidents mostly happen where a man gets high compensation for doing daring things. I doubt whether the record of mortality is nearly as great as it has been with the automobile. So much for the commercial phases of aviation.

My time is fast passing, and I am going to conclude with just a few observations which, I must confess, come from somewhat of a crank upon a few scientific subjects. We say that every man has a hobby or should have, and I have mine. I have been deeply interested in the possibilities of aviation. This interest was greatly increased from witnessing the impressive feats of Wilbur Wright at Fort Meyer several years ago. Wilbur Wright should have a monument which would reach to the skies. [Applause.] America, first, is proud of Wilbur Wright, and Ohio is especially proud of her native citizen. For all time to come, it seems to me, there will be no names that will shine quite so brightly in her hall of fame for the laying of the foundation of actual achievement in many future kinds of industry and of scientific research as those of Wilbur and Orville Wright. [Applause.]

The other day I was interested in reading an article in one of our magazines having to do in part with the discovery of the aeroplane. In compliment to the magazines of the country let me say that I do not know of a single agency which has contributed more to the progress and advancement of the American people than the monthly magazines.

Only a few years ago, if you went into a bookstore or to a news stand, you had a choice of only one of a half dozen magazines. To-day you would have to take Dr. Elliot's 5-foot bookcase, extend it, making it sectional, and then run across it several times to accommodate the hundred or more monthly magazines that are published. In the Popular Mechanics Magazine for the present month—and I commend it to the attention of everyone—there is a most interesting lot of articles, one of which refers particularly to the phase of my subject which I am about to discuss. There was sent abroad, all over the world, by its editor, to approximately 1,000 of the greatest scientists, a list of 56 recent discoveries, and they were asked as to what constituted, in their opinion, the greatest seven wonders. I will read the result of that vote in the order in which the votes were cast. Wireless seemed to be the most popular, then came in the order named the telephone, the aeroplane, radium, antiseptics and antitoxin, the spectrum analysis, and the X-ray.

Archimedes, the ancient mechanic of Syracuse, who was celebrated in his day, once exclaimed in his enthusiasm in regard to the power of the lever, "Give me a fulcrum on which to rest and I will move the earth." That fulcrum has been supplied by the scientific men of the twentieth century, and, figuratively speaking, they are moving the earth. In comparison with the seven wonders of ancient days, which are of no utility to man, compare the possibilities, the potentialities for good to man in any one of these other enumerated discoveries. If you will analyze these discoveries you will find that although the aeroplane, the cause of which I am championing to-day, has been placed third on the list, every one of those subjects, except antiseptics and antitoxin, is intimately connected with what may come from aeroplane research—

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. SHARP. Just a few more minutes.

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent that the gentleman be granted 10 minutes additional to conclude his remarks.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

Mr. SHARP. Appreciating the fact, gentlemen, that there are others who wish to speak, I thank you very much for the courtesy, and 10 minutes will be all I ask; and in this connection

tion, lest I forget it, I desire to ask unanimous consent to extend my remarks in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio? [After a pause.] The Chair hears none.

Mr. SHARP. The world a few years ago was startled by the discovery of a mere boy over in Italy when he announced that he was able to send messages through the air without the use of a wire. It is interesting to read an account of how he first came to discover the properties of wireless telegraphy, if I may call it by that name. Marconi at the age of 15 was already a scientist and an expert in the knowledge of electricity. But wireless, telephone, radium, the spectrum analysis, the X ray, even light itself, owe their power of manifestation to what? Why, to the fact there is a medium which scientists call ether, through which these waves are conveyed. Without that medium there could not have been made known to us a single attribute of the solar energy, the phenomena of the great sun—the producer of all our energy; take from this earth the ether itself and we could not have any communication of the electric current; we could not have any communication of the light waves that travel 186,300 miles a second. The contributor of the article on the discovery of the wireless states that it is a similar wave which sends a current on the wings of the air to the light waves.

The real merit of the discovery of the Roentgen, or the X ray, lies in the fact that the X rays are not natural in actual existence but light waves are. Through all these ages man has been in the condition of a bird in a cage, confined to the surface of the earth. Given a little more stability and safety in the field of aviation, when the scientist can mount above the clouds with his finely constructed instruments, I predict here and now, gentlemen of the House, that almost at every ascent he will discover new conditions in regard to the science of meteorology; that he will acquire a vastly increased knowledge of the properties of this mysterious ether, and even of the silent but all-powerful forces of gravity and magnetic action. Let me tell you of a very astounding incident, if I may say that anything in this great age of discovery is any longer astounding. A gentleman who had his aeroplane at the Minneola field, the other day told me of an incident that out-Verned Jules Verne in its strangeness. He said that a gentleman who had been conducting investigations along certain scientific lines came up to his machine and fastened upon one side of it a little instrument occupying less than a cubic foot in space, and then he said to the pilot, "When you have gotten up several hundred feet in the air with your machine I will wave my handkerchief and then I want you to press this button upon the little instrument."

Just before this he had gone several hundred feet away, and in a little excavation in the earth he placed some powder, after which it was covered over with several inches of dirt. When the machine arose several hundred feet in height he waved his handkerchief, the operator pressed the button, and this powder ignited. Is there anything stranger in the realm of dreams than that? Is there any wonder that the gentleman who built that machine asked, after that incident, "What is to prevent your blowing up any magazine when you fly up in the air and send down that mysterious current"? And the reply was that it could be done if the instrument was sufficiently powerful and properly attuned.

To illustrate another manner in which this substance of ether, if I may call it a substance, communicates light waves let me close with an incident which I wish to relate. A number of years ago a friend of mine having a summer home on Lake Geneva, near the Yerkes Observatory, which has a telescope containing one of the largest glasses in the world—one of the great things that street-car magnate did for the cause of science—knowing my interest in astronomy, accompanied me to that observatory. Covered over with a piece of oilcloth, looking in form much like a gigantic swan of perhaps 3 or 4 feet in height and that many feet in length, resting on the floor beneath the great dome, was a strange-looking object, or would have been had the cover been removed.

And yet not all the wonders contained in Pandora's box could rival the mysterious powers of this apparatus. Possessing the ability to photograph the most distant stars and to analyze their spectrums, the innermost secrets of the physical construction of those luminous suns have been laid as an open book before the inquisitive scientist. Is it, indeed, any wonder that the spectrum analysis should have been chosen as one of the seven most celebrated discoveries? What more strange than for man to be able to tell with unerring accuracy the component parts—the very elements—which compose not only our own sun, but those of every other luminous astral body; nay, even more, to be able, by the shifting of those spectral lines, to tell their mo-

tions in space and even their weight from their gravitational pull! Indeed, must I exclaim, not how little but how great is man! And, after all, is it not the power which he possesses to solve the mysteries of creation which stamps him with the impress akin to Divinity itself? It would almost seem as though only a better understanding of the truths of psychology is needed to establish man's connection with that Power.

Mr. Speaker, it is because of my firm conviction that through the practical investigations which we can carry on by a further development of the science of aviation we shall achieve most important results along the lines I have discussed that I stand here to-day advocating that in every possible way the Government stand behind and encourage this new field of discovery.

It is with this thought and with this purpose that I have asked the kind indulgence of my colleagues upon this floor, and if it may result in some agitation, in some examination of a subject that is so comparatively new, I shall feel amply repaid for my efforts. [Applause.]

Mr. FERGUSON rose.

The SPEAKER pro tempore. The gentleman from New Mexico [Mr. FERGUSON] is recognized for 20 minutes.

Mr. FERGUSON. Mr. Speaker, I was surprised when I heard the gentleman from Illinois [Mr. RODENBERG] accuse Woodrow Wilson of deliberate insincerity in his present advocacy of progressive principles, especially the initiative and the referendum. He charged Woodrow Wilson with having insincerely adopted the progressive principles, now so universally demanded by the great mass of the common people, not as being for the common good, but solely for the purpose of attaining high political position.

Doubtless we should judge leniently the contortions of our friends on that side of the aisle. They are in a perplexing dilemma—what to do to be saved. Follow the bull moose, crazed as he is with the rabies of reckless ambition, with menacing front and nostrils belching flames, headed no telling where, or follow the bull elephant who moves not at all except as he is pulled by the iron hook of the trainer?

It is exasperating, and we draw the curtain of charity over the scene.

But the false charge has induced me, gentleman, to attempt in a modest way, partly in justification of myself and of the Democrats and Progressive Republicans of my State, for having enlisted in behalf of these principles, to state the reasons that have moved us, and partly because a statement of the reason and necessity for those principles will justify, if not require, all patriotic men to join in putting them in force. And I doubt not they are the reasons that have moved our Democratic candidate, in common with other distinguished men of both parties of this Republic, to demand so much of change as should be made in our ancient laws under a representative government, as will restore real, pure representative government as our forefathers intended it to be and as it prevailed in our country for more than 100 years; that change to be made in the direction of giving more power—no; not more power than was given under our original form of government, but the same power as existed from the beginning of our Government—by enacting laws, according to progressive principles, that will give direct and immediate control to the people over the acts of their representatives, as well as such control over their representatives themselves, to the end that injurious laws may be quickly annulled, good laws readily forced in the statute books, and unworthy public servants quickly deprived of power. [Applause on the Democratic side.]

Woodrow Wilson, in the seclusion of his educational and scholastic life, in a great history, which has received the commendation of the whole people, enunciated certain views as to the then new principles of the initiative and the referendum. He had in view the historical fact that up to a period decades subsequent to the Civil War, and before collective wealth had become so powerful, so brazen, so insatiable, and so corrupt, and at a time when the astounding developments consequent upon the alliance, the close partnership and cooperation in this country, between corrupt politicians and treacherous representatives of the people, on the one hand, and corrupt and overpowering wealth, on the other, had not yet become fully manifest. What has caused this change in every patriotic man who loves his country, who wants to preserve these principles in their original vigor, as intended by the fathers, is the absolute necessity of preventing the degeneration of our beneficent people's government into a government by a plutocracy; because, by the power of great wealth, by the conscienceless, corrupt, and selfish use of the power of great wealth, the special interests have perverted our original representative government, as created by our fathers, and changed it into a government by representatives of wealthy men and trusts. Laws have been made,

laws have been administered, and laws have been construed by the courts for the further enrichment of the few and to the pitiful impoverishment and misery of the plain people, as Lincoln lovingly called them. [Applause on the Democratic side.]

If Wilson has changed, as has "with such spirit and decency" been charged against him by the gentleman from Illinois, he is in most distinguished company. Look at the names of patriotic, courageous men now in the Senate, now in this House, now in high office in all the States, who are engaged with him in the task of overthrowing this deplorable domination of wealth in our country, not, as charged with conscious falsity, by destroying representative government, but by restoring and safeguarding representative government.

Before the rise of corporate wealth, immediately succeeding the great Civil War; before it had grown so great and so strong and, by long use, had corrupted its possessors; in the early times of this Republic, such a thing as a corrupt representative was unknown; such a thing as a judge on the bench doing aught but expounding the law impartially, had not been dreamed of; such a thing as a councilman in a city being purchased to grant a franchise without compensation to the public, say, to some powerful syndicate to build a street railway, so that it should be oppressive to the people and give undue wealth to the possessors of the franchise, was incredible; before legislators, men composing the legislatures of the States, and, I am sorry to say, in the general belief of the people, at least, before men in the high position of Senators of the United States, openly used their power in high office to pass laws for the benefit of the special interests, for the benefit of men who have forgotten patriotism and have become slaves to the passion of avarice, the necessity for these remedies had not, I say, become manifest. [Applause on the Democratic side.]

The moral side of the use of the initiative, the referendum, the recall, and the depriving legislatures of the power of electing United States Senators, should not be overlooked.

What wealthy man, think you, or syndicate, would expend large sums of money to buy a legislature or a board of aldermen to pass a law or ordinance giving vast profit to the bribers, to the great disadvantage of the public, if by law the people could at once repeal such law or ordinance under a referendum? Likewise, the initiative would tend to discourage the corrupt use of money to prevent the enactment of good laws by legislators; and the recall would destroy the value of corrupt judges in the estimation of bribers. The public servants would be relieved of temptation. The all-wise prayer says, "Deliver us from temptation"; and the human wisdom of Bobby Burns shines resplendent in these lines:

I say na mankind are villains a';
The real, hardened wicked,
That ha nae check but human law,
Are to a few restricted;
But ach, mankind is unco weak,
And little to be trusted,
If self the wair'ing balance shake,
It's rarely right adjusted.

It is statesmanship to adjust government to changed conditions in the evolution of things. Change, in itself, is not bad. Evolution is change. The reactionary would stay all change. It is well that the boy ceased to carry grain to the mill with rocks in the other end of the bag; and we know now that Darius Green, with his flying machine, was not such a fool after all. The motto of the reactionary, "Once a fool, always a fool," is not a good motto. The changes in the science of medicine, of communication, of transportation, in the use of steam and electricity, are all good things; and the changes in human government, freedom of conscience, freedom of thought, free speech, are good things. The *sine qua non* in changes in human government, in solving the problems of government now confronting us as a nation, is honest men in charge for the people—men of learning, as far as possible—and in the chief place of power a man of deep insight into the science of human government, like Jefferson; of unconquerable resolution, like Jackson; and of broad humanity, like Lincoln. We offer the people Woodrow Wilson, whose public utterances suggest the intellectual grasp of Jefferson, and whose acts as governor of a great State have shown at once the prompt courage of Jackson and the solicitude of Lincoln, to make secure the rights of the common people under a government of the people, by the people, for the people.

The very foundation of our Government was intended to change the awful evils of government that existed in Europe at the end of the eighteenth century, under the monarchical system, and to erect on this side of the Atlantic a government whose prime object was to care for, protect, and make happy the humble and lowly of mankind. The French Revolution was produced by the selfishness of wealth, its heartlessness, and its forgetfulness of the masses of the poor.

Let us indulge a brief review, that is intended to show that under our system of government such a change of point of view was to be expected from the rise and the great power of concentrated wealth; that such a change has taken place in very recent years; that Woodrow Wilson, if at first he proclaimed that the initiative and the referendum were not needed, stood with all the patriots in the one hundred and more years of our history until corporate organizations and trusts began to form in the last three or four decades. He stood with all of those from Jefferson down to Jackson, and on down through the great list of statesmen who administered the powers conferred upon them as representatives of the people, honestly, as intended, in the interest of the people. But with the change of conditions that came with the great growth of wealth, with its power, with its aggression, with its absolutely corrupt heart, the change of opinion came, and with Wilson, if change you will call it, other honorable men have changed.

The greatest speech made by the late Senator Dolliver, in my judgment, was the last one he made on the floor of the Senate, not long before he died, in which in his place in the Senate—and he had been in politics many years—he, in effect, said:

I wash my hands of the methods of this party.

[Applause on the Democratic side.]

He added, in substance:

The powers of government have been seized by corporate and selfish wealth. They have been taken away from the people and prostituted to the enrichment of the mercenary wealthy; and for the future—

He said—

I shall devote my life to the correction of the evils that have grown up under our system of government.

He died in a belief in the necessity of the initiative, the referendum, and the recall. [Applause on the Democratic side.]

We can count on our fingers prominent Senators and Representatives, both Democrats and Republicans, who believe in these principles; and if you will note, you will see that the States that have been most corrupt, like California; most under the dominion of special interests, like Oregon; most under the control of those who have selfishly perverted the great powers of the people vested in themselves, as representatives, to unworthy uses, you will see that everybody is for the initiative, the referendum, the recall, direct primaries, and for every other one of the great progressive principles that have been found necessary, not to destroy representative government, but to restore it to its pristine vigor and purity, as it was intended to be. [Applause on Democratic side.]

The fathers of our Republic were men learned in history; they knew of the results to the masses of mankind of irresponsible power exercised by the few over the many, as was apparent to the world in France, for example, in 1776. They were likewise men of great humanity, whose hearts swelled with sympathy for the helpless misery of the millions of men under the monarchies of Europe. They fully shared the aspirations for individual liberty of the European writers who were even then pleading for liberty and sowing the seeds of the French Revolution.

Finding themselves, as colonists, freed from the domination of England and confronted with the task of founding a government based on the principles set forth in the immortal Declaration of Independence, on which they had won freedom, they established our constitutional form of government, a representative government, in which the power of the people, supreme, was to be exercised through servants or representatives chosen by the people for short, stated periods of time; and the delegated power, while vested in these servants or officers or representatives, was to be exercised only for the benefit of the people themselves. The power of the people, however, was to remain in the people and be supreme, and short terms of office were provided for by the first law in order that the people might often use their power.

The fundamental principles embodied in the phrases the referendum, the initiative, and the recall have, from the foundation of our Government, in some form, modified or remote, been recognized in our Constitution and laws. The recall is in force in that every office, save and except the judges appointed for life, is for a specific length of time, and at the end of that term the officer is recalled by operation of law into the body of the people and becomes subject to the power of the people whether they will return him to power or make his recall permanent.

The reference, or referendum, of all amendments to constitutions and of certain laws and municipal ordinances to a vote of the people has always been the law and practice. But in a broader or indirect sense the referendum has always been in force in that all legislative officers or representatives have served for stated terms, and their acts while in office have been indirectly referred to the people for approval or repeal by

subjecting the representative to reelection or recall by the people. In this way the Payne-Aldrich tariff law has been subjected to, and condemned by, a referendum, and this Democratic House is the result; and it has been unmistakably directed to repeal that law. [Applause.]

In a still more remote and indirect way the people have from the beginning initiated laws. Heretofore, and until within the last two or three decades, when, in some States, direct laws have been enacted, the power of the people to initiate laws was exercised through the force of public opinion. Even though at the end of a bloody war, yet, in its ultimate analysis, the abolition of slavery was brought about by public opinion; the control of railroad rates, through the Interstate Commerce Commission and other like great enactments, has come about in response to that great power called public opinion. But that power, that means of enforcing the will of the people, is slow, is easily thwarted by thimblegriggers, and is often so tedious in its effects that sufferings are terribly prolonged, and intolerable evils become well-nigh ineradicable. As the result of long use, we even hear the hateful hint of vested rights, as invoked in behalf of oppressive, unjust tariff wrongs; that forsooth, from long use, it has become a right vested in overwealthy manufacturers to tax the earnings of the day laborers and the consumers to still further and perpetually enrich the tariff beneficiaries, a vested right, in one class, to tax another class of our citizens.

Here arises the demand for the initiative, the referendum, and the recall, as advocated and partially adopted in our time. It is simply the demand of the people, voiced in a large and rapidly growing public opinion, that their power to control their affairs shall be made by law more easily effective. They demand the right to veto the acts of their representatives in law-making bodies by having such laws referred at once to a vote for their approval or rejection; they demand the right to inaugurate or initiate a new law by direct vote in case their chosen representatives are corruptly influenced to refuse or neglect to carry out their will; and they demand the right to recall before the recurrence of the next election any corrupt judge, or at the very least to make the present difficult, if not useless, impeachment laws easily and readily responsive to their will.

Now, when and why originated this demand—this sullen, portentous unrest among the masses of our countrymen; these mutterings, even so deep and despairing as to suggest the awful sufferings in France that preceded the French Revolution? Do not close your eyes to what is visible all around you, you pampered beneficiaries of unjust laws, you malefactors of great wealth, you special-privilege holders, with your monkey dinners and your poodle-dog receptions, your divorce courts, reeking with the records of your idle, indecent lives. [Applause.] The people observe these things and contrast such pictures with the miserable exhibits we have lately seen in the Halls of this very Congress in the form of emaciated little boys and girls, pale young women, looking prematurely old, and poorly clad, all with the shrinking, hunted look of the beleaguered wild animal; and angry men, with the dangerous gleam in their eyes—of resentment at intolerable wrongs, long suffered—all coming from the woolen mills of Lawrence, Mass., one of the proprietors of which mills, I am told, has amassed wealth to the amount of probably \$100,000,000 in the last 30 years through the operation of laws enacted by virtue of the conspiracy existing between corrupt, grasping, conscienceless wealth and the complaisant, if not corrupted, representatives of the people. [Applause.]

How many franchises for public-utility purposes, oppressive in their provisions, have been granted in cities to special interests by aldermen corrupted to pass them, without compensation to the public; made invincible by the decisions of the courts that they are vested rights, clothed with the sanctity of contracts, the obligations of which are constitutionally protected from the power of the people? How many laws of States have been enacted by legislatures that have surrendered to the blandishments of wealthy men and corporations—malefactors of great wealth, as Roosevelt calls them? How many laws have been passed by Congress itself in the last 30 years or so in return for campaign contributions?

The Representatives of the people, in some instances voting for such laws, though they were at the time personally interested in the corporations and trusts, the beneficiaries of such laws—have enacted laws that have produced the harmful contrast of conditions existing at this moment—for example, in the woolen factories in New England. Did Carnegie earn his half billion or more of dollars in 40 years; or did he get the lion's share of the taxes from the people, under the guise of providing revenue to carry on the Government and protect our infant industries?

These are some of the reasons why the people are demanding the initiative, the referendum, the recall, direct primaries, the election of Senators by direct vote of the people, and all those so-called progressive principles, principles which long since permeated the Democratic Party, which have given the Republican ship from stem to stern, and which are as sure to triumph as it is certain that this scheme of government, conceived by our forefathers, is too young to die. [Applause.]

The birth of these principles was coincident with the beginning and growth of unrest among the people; and the beginning and growth of unrest among the people began and kept pace with the beginning and growth of corporate, selfish, and corrupt wealth. The keen, statesmanlike mind of Bryan, his patriotism, his indomitable courage, his unflinching devotion to conviction, his fortitude under misrepresentation, contumely, and abuse, and his eloquent tongue and pen, have at last made certain that representative government, which has been destroyed by the activities and power and corrupt use of great wealth, will be restored in our country; and under Woodrow Wilson's administration the fervid prayer, known as Lincoln's Gettysburg address, will be answered, and "a government of the people, by the people, and for the people" will be in force once more, for the continued enlightenment of all the nations of the earth, and for the protection, equal rights, equal opportunities, and equitably distributed happiness of our people. [Applause.]

Mr. CONNELL. Mr. Speaker, I ask unanimous consent to address the House for five minutes.

The SPEAKER. The gentleman from New York asks unanimous consent to address the House for five minutes. Is there objection?

There was no objection.

Mr. CONNELL. Mr. Speaker, in the unanimous absence of our friends on the other side, who, I understand, have just heard the astonishing announcement that William Howard Taft has accepted the nomination at Chicago, about which we have heard so much of late, I think I may take this opportunity, especially since gentlemen on this side of the House are present in such enthusiastic and overwhelming numbers, to say something on a subject which I am sure interests everybody here and which may interest a few people elsewhere. That is as to when this Congress is going to adjourn. They are discussing this matter in various parts of the country, and in case the question should arise in the coming campaign as to why we did not adjourn sooner, you will find that there will be some people who will blame the House of Representatives for it. Therefore I have taken the floor simply for the purpose of reading an editorial paragraph which I hold in my hand. I do so with pleasure, because it is refreshing to find a great metropolitan newspaper which goes to the bottom of things, takes up the facts, and gives them to the country. In reading this I mean no reflection upon the Senate, because they may have good reason for their delay; but I want the House to be put right in the matter, and this seems to me to do it. I read from the New York World of this morning:

"In a burst of partisanship the Tribune denounces as 'disgraceful' the conduct of the House, and says that 'with any degree of diligence most of the appropriation bills should have passed the House before the end of March.' If it will look at the calendar it will find that eight of them did, and that most of them were held up two months in the Senate, some longer. In addition, the Indian bill was passed by the House April 9, by the Senate not until July 17; the Post-Office bill by the House May 2, by the Senate not reported until July 23, and still to be passed. The Military Academy and naval bills were passed by the House the last week in May, and on July 24 and July 5, respectively, by the Senate. The Army bill passed the House July 2, and has not yet been reported to the Senate. Why not stick to facts?"

[Applause.]

As I said, I mean no reflection upon anyone else; but if I had the time to follow up the question I would like to put before this House some reasons why the facts have not been adhered to in considering and discussing the bills that have gone from this House and the work of this Democratic majority. But the time is coming when these things will be discussed in every corner of the Republic. When that time does come, with our candidate for the presidency shedding the light of learning upon every public question, we will show that in all the history of this branch of the Government, with all its fame and distinction, there never has been a better or a more representative assemblage of American citizens to deal with public questions, or who did it more honestly or more firmly or more effectively or more quickly than this House has done it. With this record we go before the people, and upon our banners must perch the great reward of those who have been faithful to public duty intrusted to their hands. [Applause on the Democratic side.]

Mr. LAFFERTY. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record on two subjects—that of homesteads and the control of drawbridges by local jurisdiction.

The SPEAKER pro tempore. The gentleman from Oregon asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

[Mr. BURLESON addressed the House. See Appendix.]

The SPEAKER pro tempore. The gentleman from Minnesota [Mr. LINDBERGH] is recognized for one hour.

Mr. LINDBERGH. Mr. Speaker and gentlemen, it has been but a few days since this House passed a bill to create a commission on industrial relations, with a life limited to three years. I voted for the bill because it was a step in the right direction. It was, however, a feeble step. I do not expect that commission to do much more than many others that were created in about the same way. Had I known in advance that the bill would be presented at that time I should have been prepared with some amendments to propose. Since then I have introduced a resolution the purpose of which is to secure a committee of this House as a permanent institution, its purpose being to report on bills involving social problems. My resolution, which was introduced July 18, I submit as a part of my remarks. It is as follows:

House resolution 636.

Whereas it is among the declared purposes of our Government to establish justice and insure domestic tranquillity and to promote the general welfare; and

Whereas there is a persistent and irrepressible economic conflict now everywhere manifest in the economies of production and distribution between those who own the principal means, appliances, and materials of socialized production and distribution, on the one hand, and the smaller owner and those who perform the social service, manual and mental, on the other, and since said conflict, unless soon reconciled, threatens to overthrow all social order: Therefore, among other important facts relating to the same, it is important to know—

(a) That it is a fact that the production of permanent, material, capitalistic wealth for speculative and remote future use is so great that in its production and maintenance it robs the industrial forces engaged and consumes the material resources required to produce the urgent necessities of the present day and generation. On that account there is now insufficient production and distribution of the things necessary to supply the common needs, and therefore most people are in want of many of the actual necessities. This condition is largely caused by the overgrowth of the larger cities in this and other countries and by the construction of systems of canals, railways, buildings, and other permanent structures, many of which are built solely for the investment of capital, while instead the energy of labor and the use of capital and machinery should be employed in the promotion of industries with the main purpose of supplying the necessities for the people's use, convenience, and well-being. The people's energies and the material substances are being thus used to provide capital with permanent investment. In this way capital is created from the material resources, and is supplemented by the great wealth that labor adds, but it is controlled by a few individuals whose direct purpose is to use it as a basis on which to collect interest, dividends, and maintenance cost from the people. The cost of living can not be reduced and conditions materially bettered so long as so much of the natural resources and energies are employed to produce profits regardless of the service to be secured.

(b) That it is an economic fact that interest, rent, and dividend indebtedness levied on the present basis are partly made up by enforcing longer days of labor and reducing wages, partly by deduction from the price of the farmer's products when he sells, partly by increasing the price of the necessities of life that must be purchased by the consumers; but even in all these ways rents, dividends, and interest at the rates charged can not all be paid, because it is impossible to pay in full, and therefore bankruptcy will be constantly in process and the scale of living low for the majority so long as we follow this system. Interest compounded on the large capitalized holdings of wealth at the rates commonly charged equals in a few years all the country's resources. Under such a system periodical panics are bound to occur. The people can not be prosperous under any government that permits a business policy and practice that eventually leads them to bankruptcy. Since our Government now permits and encourages special credit advantages in favor of invested capital that obligates the people to pay its owners higher interest, rent, and dividends than it is possible for them to pay, property is given a more secure status than personal rights, and much property is being produced for the purpose of appropriating the energy of the masses for the profit of the few. Under such practices all but the favored few suffer.

(c) That it is a fact that discriminations exist in our social organization, sometimes practiced privately and sometimes publicly, giving special favors to individuals, concerns, and localities without economic reason therefor. This in itself creates inequality and increases the common burdens.

(d) That it is an economic fact that the burden of production rests on the toilers, mental and manual, whether they be on the farm, in the factory, in the store, or engaged in the sale or distribution of the commodities of commerce, or otherwise. They support and maintain all social institutions, whether these pertain to production for present or future use, and whether such production furnishes necessities, pleasures, supplies, or other conditions of life. There is no other source from which the necessities and conveniences may be economically secured. Capital, even after accumulated, can not maintain itself, but depends upon labor for its value and conservation. Even money and credit furnish no material substance, but merely express a convenient measure of exchange used because of the fiat supported by the fact that it is accepted in terms of exchange. The cost of living is increased by all persons who are engaged in any work of unnecessary duplication; also by those occupied in producing things that are not required for the present or future of the living generation or naturally incident to the establishment of practical working conditions where more permanent construction is necessary. Any undertaking which does not have for its purpose the production of conditions that produce the necessa-

ries, conveniences, or luxuries practical to be enjoyed, or for use by the people generally, or in their distribution, sale, and exchange, increases the cost of living. Fellow workers in all useful and necessary pursuits are coordinate, and are cooperators and not competitors under economically governed conditions. Those only are competitors who consume without producing an equivalent, either in producing the necessities or in their distribution, sale, and exchange. It is an economic fact that modern machinery, new methods, and better appliances have enormously increased the productive energy of the people. Therefore, if economic order governed in the production and distribution of things necessary, convenient, and desirable, there is ample means by which all industrious people can secure all things reasonable and desirable to make them successful. This can be done by very much shorter days of labor than are now being expended by most people in order to work out what proves a burdensome existence under present conditions. It can not, however, be accomplished while each individual pursues indiscriminately this, that, or the other purpose in life without special or even general information that the undertaking fits into any real need. Naturally, under the disorder that exists, there is an enormous waste of energy and resources, and some will be idle while the majority will be overworked, underpaid, and therefore deprived of the advantages to which the industrious are entitled. None would lose by creating order out of the present disorder, but all would gain by the elimination of waste and wanton extravagance.

(e) That it is a fact that corporations have been organized to overcome some of the disorders that have been common in business. But these, in most cases, are trusts, and operate for extremely selfish purposes. The public derives little benefit from their existence, but on the contrary in some cases is actually injured. The trusts have been able to systematize and practice economy in the cost of production and distribution, but, since they are monopolies, the public has not had a proper advantage from their formation. On the contrary the trusts have used the monopoly to reduce prices when they buy from the original producers and increase them when they sell to the consumer. They build up colossal fortunes—commonly called vested capital—for the individuals who control them. On these fortunes the public is charged annual compound interest, rent, and dividends. Experience teaches the managers of the trusts that they may cooperate to their mutual business profit, and therefore there is a community of interest between them. But there is no community of interest between the trusts and the public except in the sense that there is a community of interest between the farmer and his team or his cows.

(f) That it is a fact that in this country there are natural conditions, resources, and advantages sufficient to satisfy and supply every human need under economically governed use and application of our industrial forces in their development. People have the intelligence required to bring about better conditions if they will make the effort. The problem is to direct things in a way to prevent waste of energy and resources in the production of things unnecessary and to exert more energy in the production of the necessities, and otherwise reconcile the present industrial conflict in a manner which will bring about a reasonable adjustment; and that may be done without any great change in the fundamental principles of government, or even interfering with the system of the individual initiative. Now, therefore, because of the imperative necessity to form a general social and business policy that shall be consistent with the great common interests of the people, to insure independence and equality of opportunity so far as it is practical, and to provide a social order of things that will economize in energy and material to bring about a reduction in the cost of living and in the general burdens that now encumber the plain producers and consumers; to increase the advantages of the people in all ways practical, as well as to induce other countries to enter into like undertakings to lessen the burdens of all people: Be it

Resolved, That there shall be added to the present standing committees of the House of Representatives a Committee on Industrial Relations, which shall consist of 15 members, to be selected by the House from the Members thereof, and to which shall be referred all bills and proposed acts of Congress affecting or proposing to affect the industrial affairs of the United States not referable under the rules of the House to any of the present standing committees thereof, and, in addition thereto, all bills and proposed acts of Congress reported from the present standing Committees on Ways and Means, Banking and Currency, Interstate and Foreign Commerce, Railways and Canals, and Labor for consideration, correlation, and report to the House as to the effect of such proposed legislation on industrial conditions generally.

I have observed that when one states the plain truth he is designated as a radical; that is, if the subject matter on which his statement is made has to do with politics or economics. For the same reason I have been designated as a radical. I was so called even before I introduced this last resolution, as may be observed by an article in the New York Evening Post of July 20, 1912, the last paragraph of which reads as follows:

Representative LINDBERGH has the reputation in Washington of being a radical, but he has also a reputation for getting things in which he is interested accomplished. In the case of his Money Trust resolution of a year ago he asserted at the time that he selected summer as the propitious moment to plant the thought in the consciousness of the public. Events proved that the seed grew and bore fruit. It is possible—and it would be characteristic of Representative LINDBERGH if this proved to be the case—that the idea outlined above, properly watered by its author, and persistently advertised by him, may have equal chances of success.

The Evening Post, in referring to the "idea outlined above," referred to the comment it made on my resolution for the appointment of a committee on industrial relations.

It is well known that my Money Trust resolution was opposed by the Money Trust and by most of the politicians. But the country insisted on its passage, and after I had fought for it a year the chairman of the Rules Committee, Mr. HENRY of Texas, substituted a resolution of his own to take the place of mine, substantially the same. It was practical and wise for him to do that, because his Democratic colleagues wanted the Demo-

cratic Party to get the credit for starting the Money Trust investigation. He thereby removed much opposition, and the Money Trust investigation was arranged for. This new resolution for a committee on industrial relations that I introduced is equally important. I expect considerable opposition to it, and therefore volunteer to let any Democrat adopt it as his if that will secure for it more support. My main purpose is to have the people obtain the benefit that I am sure would result from its adoption. The fact that I am the author is not any more important in this case than it was in the other.

I do not wish my colleagues to understand me as expressing the opinion that we can suddenly change to a true economic basis—that is, one which should have been followed from the beginning of our social and political institutions. We can not do that after generations of practices, many of which are economically bad, but to which we have adjusted ourselves and our institutions. No sane thinking person with a fair knowledge of conditions would advocate that. But we can adjust to what is now a true economic basis, fixed by the relations of things as they are. Above all things we are entitled to know the truth, and should understand what is our condition and what we ought to do. The great advantage the so-called special interests have over us is that the majority of us do not understand the economics of energy and business.

In the recitals of my resolution I have not attempted to enumerate more than a few of the causes that contribute to the high cost of living. It seems to me that the principal reasons for high prices are little understood. When understood there will be less complaint about high prices, but greater effort will be put forth to find a remedy.

Everyone knows that the cost of necessities is a vitally important problem. Our actual needs must be supplied before we can do anything to advantage. To aid our understanding in this investigation, it is only necessary to observe the things that are going on all around. There we will find evidences that should aid us in forming practical conclusions. We daily require food, clothing, shelter, and so forth. These are prime necessities and should be obtained by everybody with as little expenditure as possible. All practices that make it difficult to obtain them should be removed.

The methods employed to conduct general business and the department of our Government create conditions that make equality of opportunity impossible. Unfortunately, inequality is born into the world. The world itself is unequal in its parts. We should not further exaggerate the inequality by unwise acts. Government is established for the purpose of making the best of all conditions that are within its control.

The old rule that people favored was "the less government the better." That worked well when there was plenty of room for all. But now we crowd each other so that most of us are crowded out from having those advantages to which we feel entitled, and therefore we want government to give us each an opportunity as nearly equal as is practical. It seems that we must have more government, for no one now claims that the opportunities are as equal as they could be. Those who now have all the advantages are fighting to prevent that. A few are succeeding so well that they do not want many changes. But their number is small when compared with the body of the population. To retain their advantage they found it necessary to take part in politics. Thus far they have prevented the rest of us from establishing a system by which we might retain the products of our own energy instead of permitting the few to appropriate them.

Those who now control tell us that we should be satisfied because we have more advantages now than we used to have and more than our fathers had. In other words, they desire to dictate what we should have and to tell us that we should be satisfied because they do not get more out of us.

Each year new discoveries, inventions, methods, and appliances are found to increase our productive power. Intelligence has taken a long step ahead in the last 50 years. By making use of these new advantages we now produce many times as much as our fathers did with an equal expenditure of energy. In different ways a person, by applying his energy to the use of modern machine power, now produces several hundred times better results than could be produced a generation ago by any method then known.

Modern machinery has enormously increased the amount of work that a farmer can do in a day. But the farmer works nearly as many hours per day as he did 30 years ago. Some new inventions also help the wife to do the housework, but she, too, toils nearly as many hours per day as her mother did. So we might go on through the various industries—including all the wageworkers, yes, even including the professions—and enumerate thousands of ways in which the effectiveness of

labor has been immensely increased, in some cases several hundred fold, but still we would find the hours of labor per day not greatly shortened or the advantages anywhere near proportionately increased.

My attention is often directed to how little some persons realize the great forces that have been added and brought within the control of humanity, and how thoughtlessly they suggest that people should be satisfied with their lot because they have a few luxuries now that previous generations did not enjoy. As illustrative of this careless way of neglecting the opportunities to further the interests of the plain people, I read from a creditable newspaper published in my district, as follows:

[From the St. Cloud Journal-Press.]

The Journal-Press man took half a day off and attended a circus. Lined up in front of the big tent were over 300 automobiles, many of them coming from Brainerd, Little Falls, Royalton, Becker, Big Lake, Clearwater, Monticello, Sauk Center, Melrose, Albany, St. Joe, Cold Spring, Paynesville, Eden Valley, Kimball, Watkins, Richmond, and a dozen other nearby towns. The money represented in these purely pleasure machines was probably \$50,000.

Inside the tent were over 10,000 people, all well dressed, and half of them put up each 50 cents extra to get a reserved seat. The people came from five or six counties, and all professions were represented. Probably a third of the audience lived on farms, and many of the farmers came in with either top carriages drawn by fine horses or else in their own automobiles.

But seriously and honestly, is there so very great grounds for complaint and discontent? Labor is, in this country at least, fully employed and at good wages. Ten or twenty thousand more men could find ready employment at this time in Minnesota alone. Business of all kinds is prospering and the farmers are on easy street, with good crops, high prices, money in the bank, and automobiles in the barn.

Personally we are going to vote against the candidate who puts up the biggest calamity howl.

What is the sense in anybody trying to make us miserable when 10,000 people can take an afternoon off and enjoy the circus, right in the busiest season?

The quotation is worth a little closer analysis. The editor is not only a good man but an intelligent one. He believes in the welfare of the people, but when he wrote the article he had just been to a circus and had been enjoying himself. He saw 10,000 others who were doing likewise, and he looked upon the happenings of a single afternoon as showing a condition, whereas it was an exception.

The five or six counties referred to comprise a district with 150,000 people, 10,000 of whom attended a circus which annually visits that district. It is not strange that in this district, which is one of the most prosperous and happy in the United States, there should be a \$50,000 display in autos at a circus. Everyone should be pleased over that fact as well as that all present should be there and happy. All were entitled to the pleasure they could get, and the reporter properly approved of it. But that, notwithstanding the fact that farmers and others take half a day off once each year to go to the circus, is no reason why the well-meaning editor should have built up "a house of straw" to burn down. His suggestion about the "biggest calamity howl" and about "anybody trying to make us miserable" was merely the "house of straw" which he constructed so that he might watch the blaze while he set it on fire.

Many well-meaning people who are in circumstances that make it unnecessary for them to plan how they are to obtain their necessities, conveniences, and so forth, look to a circus attendance, a big crop, or other exceptional circumstance as an index to general conditions. It does not occur to them to go into the homes of a sufficient number of families in order to obtain a general average of conditions of life, especially of those less fortunate than they. Comparatively few of those present at the circus were fortunate enough to own carriages and automobiles.

It is not sufficient, in answer to this condition, to say that some of the more fortunate farmers and wage earners have carriages and automobiles; that their wives have servants to help them and that their families are prosperous. The problem of vital interest to us is the welfare of the great majority—the farmers, wage earners, and servants. Since all the modern inventions and appliances referred to produce such great results, why should not all industrious people have all the conveniences to which their industry entitles them? It is not sufficient that some of the farmers and wage earners secure a few of the advantages to which they and all others are entitled. Why should the so-called servants have less than those whom they serve, when their capacities are equal? If our civilization is worth the name, it should be for the promotion of equality among people so far as that can be.

Machine power ought to reduce the costs of the necessities of life and at the same time decrease the hours of labor per day. The reason why it has not is that it has been appropriated by a few who direct its use to a different purpose. The few will generally be found to be trusts. They operate to produce capital exclusively for themselves. They appropriate all the new inven-

tions and employ just enough of us to operate them. If a machine is invented that will do the work that it formerly required a hundred men to do, the trusts get the machine and instead of reducing the hours of labor per day and decreasing the price of the product, they discharge those of us not needed and pay the remainder about the same wages as were paid before. In that way the trusts, not the people, appropriate the principal advantages of the new inventions. The public has been able to get a little advantage from new inventions in some ways, but has lost out in others.

Whatever our condition, whether we are well to do, in moderate circumstances, or poor, we should know our rights and it is proper to discuss them. The simple truth is that all of us are entitled to the advantages that our properly directed energies make natural. The question is, do we get them, and not whether 7 per cent of us can attend a circus once a year, and if we do, whether we go by automobile or on foot. It is our rights that we want and we can not judge by the attendance at a circus whether we are getting them or not. The majority of us do not have the advantages which, under any well-regulated system, the inventions and appliances of this period would entitle us. We are arguing for a well-regulated system, the same as a farmer plans the methods of planting, cultivating, harvesting, marketing, and so forth. It is not a "calamity howl." It is common sense intelligence to which every American citizen should hasten lest America become the laggard among nations. I read a statement made by William Allen White, as follows:

"Society," he says, "has devoted a century to inventions having for their end and aim the accumulation of wealth; society now is turning from the problems of accumulation to problems relating to the equitable distribution of wealth. It is proper that America, having lagged behind the progress of the world in the intelligent legal treatment of property rights, should now set forth to get in step with modern progress, by solving modern problems: The conservation of our natural resources; the care of the honest poor; the protection of workmen against sickness and accident; the proper housing of the masses; the prevention of contagious diseases; the regulation of public-service corporations; and a score of other problems that arise in considering the duty of him who has to him who has not."

"That there is a well-defined feeling in our hearts manifest in our private charities and our public utterances in conventions and legislation that society is not doing its duty toward those who do the world's work, no one who heeds public sentiment can doubt. This sentiment is growing. It is behind the so-called progressive movement in our politics—giving it moral impetus. When that sentiment hardens and becomes the set and fixed expression of the American people, government will respond to it. For neither courts nor constitutions can stand before public sentiment."

Mr. Whites states the facts beautifully. I agree with his statement. The people should enter the fight to secure, retain, and uphold their rights. Do the people get what they earn or is the most of it absorbed by the trusts?

We have very little to say about prices. The farmer, for instance, does not fix the price of his own products. He takes them to market and asks what he is bid. Usually he gets but one bid, because the combination is against him. If he wishes to ship his products; buys machinery or something that has to be shipped to him; or makes a trip by rail; practically in all cases where he is the purchaser this is an invariable rule, he is forced to pay the prices that are fixed by the parties from whom he buys.

The wage earner is in practically the same position as the farmer. It is not often that he can fix his wage. He is told what he will be paid. Thus the two great forces in economic production, the forces on which all humanity depends—the farmer and the wage earner—must accept for their products and services a price fixed by the few who control big business, and the prices that they must pay for their necessities are also fixed by the same few.

I have a concrete example in mind. Farmers at Park Rapids, Minn., sold potatoes in the fall of 1911 for 40 cents per bushel. They had to sack them and pay 3 cents for sacks which were not returned, after which they loaded them in the car at Park Rapids. The potatoes were shipped to Kansas and sold in the sacks for \$1 per bushel. The farmer received 37 cents and the consumer paid \$1. Consumers purchasing in less than sack quantities paid still more. The railroads got 30 cents a bushel without loading or unloading. The farmer furnished the seed, cultivated the ground, harvested the crop, hauled it to market, paid the taxes on his farm and possibly interest on a mortgage. It sums up, for the farmer 37 cents, for the railroad 30 cents for hauling from Park Rapids to the Kansas consumer, for the middleman 33 cents. The producer—that is, the farmer—had to take what he was bid, the consumer had to pay what he was asked, the railroad fixed its own price, as did the others between the producer and the consumer.

Mr. BUCHANAN. Mr. Speaker, will the gentleman yield?

Mr. LINDBERGH. Certainly.

Mr. BUCHANAN. I would like to ask if that does not apply generally to farm products?

Mr. LINDBERGH. It does.

Mr. BUCHANAN. The farmer has not gotten this large increase in prices that enters into the cost of living which the consumer has been paying.

Mr. LINDBERGH. He has been obtaining only a small proportion of the increased prices.

Mr. BUCHANAN. And are not these prices largely due very often to watered stock and bonds in private corporations that have been loaded on the different industries of the country?

Mr. LINDBERGH. Very largely so.

Mr. BUCHANAN. Much more so than what people are paying on bonds created for public improvements.

Mr. LINDBERGH. That is correct.

I have studied this subject for several years and to show some of my conclusions have made some speeches that I shall quote from. I first read from a speech I made on June 13, 1911, which contains a quotation from an earlier speech on the same subject:

Go into any large city and it will be found that what our fathers and we have built does not satisfy present desires, so we are expending our energy in tearing down our past work and rebuilding new for future use. Some of us may get some benefit from these, but there is no way we can avoid paying for their entire production. Whatever energy this generation spends it pays for. That is an economic fact, and we would do well to consider some economic facts here instead of playing politics.

On June 16, 1910, I made a statement (CONGRESSIONAL RECORD, p. 8270, 61st Cong., 2d sess.) in which I discussed at some length the cause of high prices. I think that any person who will take that statement, read it, and then follow the investigations on his own account will believe that the immense production of property now for future use has had far more to do with increasing prices than the tariff has had. Consider just a few of the many:

The railway systems have been enormously extended. In 1850 there were 8,571 miles of railway in the United States; in 1909 there were 236,838 miles. The passenger traffic has increased approximately 300 per cent in 20 years and the freight over 300 per cent. Many millions of dollars were expended in building railways in that time, a large part of it suited to last as long as the earth stands. Tunnels alone within New York City, built within the last few years and which will last as long as the earth keeps its shape, have cost about \$500,000,000, and an order has been made for \$257,400,000 more. Old buildings torn down and new ones to take their place, which will last hundreds of years, have lately been and others are being built in this country, costing in the billions of dollars; the increased cost of armies and navies is another great item; canals, the Panama alone to cost \$500,000,000, have been and are in process of construction; bridges alone in one city cost about \$100,000,000; two railway terminals in the same city, one just completed and the other in process of construction, approximately cost \$200,000,000; and so on, I could add to the recent, present, and prospective constructions that have been and are taking place, all of which is to aid in one way and encumber in another the unborn generations at the expense of the present.

Take one item as an illustration and consider it from its different angles:

The Pennsylvania Terminal in New York City cost approximately \$100,000,000, and was opened November 26, 1910. The New York Times, at the time, in an editorial commenting on it, said:

"In a sense it is proper to speak of the Pennsylvania's Terminal as a gift to the city. It would be very difficult to show that the road would receive a direct return for its expenditure; that is, that the fares paid for new passengers attracted to its lines by this terminal will suffice to pay interest on its cost."

The editorial did not consider that when the Pennsylvania Railway System undertakes to bolster its freight charges, it figures in the \$100,000,000 terminal as a part of the cost of its system on which the Supreme Court holds that it has a right to base its charges and that in fixing them it has a right to a reasonable rate, and that no legislative body can confiscate its property by reducing the rates below a reasonable earning on its capital investment.

The Times editorial further commenting says:

"The Pennsylvania Railroad is a great corporation, and is not exempted from the widespread feeling of hostility to corporations which has been engendered in this country by the talk and writings of countless demagogues and agitators. The Pennsylvania Terminal, admirably serving the needs and promoting the convenience of the public, a magnificent structure which is an adornment to the city, is this corporation's reply to the flow of reckless and irresponsible abuse of corporations."

Here, again, the editor failed to comprehend the fitness of things. The Times errs in its consideration of the Pennsylvania Terminal, for without this new magnificent \$100,000,000 terminal the company was, with its old terminals and system of ferries, consistently serving the public, and, as further stated by the Times:

"The road was not compelled to build this station either by law, by any public-service commission's mandate, or by popular clamor."

But as the Times stated, it is a purely voluntary addition to its facilities, the idea of which was born in the mind of A. J. Cassatt.

The directorate of the company erected in a conspicuous place in the station a bronze statue of Mr. Cassatt, with the following inscription carved on the stone setting:

"ALEXANDER JOHNSTON CASSATT, PRESIDENT PENNSYLVANIA RAILROAD CO., WHOSE FORETHOUGHT, COURAGE, AND ABILITY ACHIEVED THE EXTENSION OF THE PENNSYLVANIA RAILROAD INTO NEW YORK CITY."

To the millions of people who will annually inspect it this inscription may be a suggestion that they are being daily charged on the food they eat, the clothes they wear, and the luxuries, if any, they enjoy their quota for the construction, maintenance, and interest on the capital invested for this "purely voluntary addition" to the world's greatest terminals.

The truth is that the terminal is an involuntary gift to that city by the people generally, and is not a voluntary gift by the Pennsylvania Railroad Co., as suggested by the Times, but was voluntarily built by the company, and its cost is added to the freight and other charges on the food the poor people of New York and elsewhere eat and the clothes they wear. Not only that, but every farmer and laborer in the United States, and all people, in fact, are, by the law of general average, being taxed for that terminal. It subtracts from the advantages of the people and is one more of the colossal monuments of vested property

on which to tax us and our children and all future generations, so long as we measure progress by an erroneous standard.

And the Times, to further display the sophistry of its editorial writer on that occasion, wound up the editorial:

"The new station is not only an example to other public-service corporations, but should serve to warn the public against too ready acceptance of the doctrines and calumnies of self-appointed teachers and guides who make the vilifying of great business concerns their profession."

Surely the "example to other public-service corporations" served to cause another great railroad in the same city—the New York Central—to begin a like terminal, which is now well underway, which, when completed, will cost a sum approximately equaling that paid for the Pennsylvania. These and other stations in other cities, costing extravagant sums, all have their share in making the cost of living higher, for all these railways charge higher freight rates in order to get "legitimate" returns on the capital invested. Consult the court decisions about that. The courts have answered by decree—a grim reality that was far removed from the editorial inspiration of the Times.

Who presents these grand gifts to New York and other cities? It is absurd to say the railroads do. We can excuse the Times editor, for he was dazzled by the magnificence of the terminal station opening in his own city; but those he chooses to call "self-appointed guides and teachers" should not be invited to sink away just because the editor sees only one side—and that the selfish—of a proposition that involves every human being who, while this system lasts, has now or in the future to earn his daily bread.

These "purely voluntary additions," as the Times calls them, are built in many cities without regulation, excepting that suggested in the inscription referred to as Cassatt's "forethought, courage, and ability"; and the "vested interest" in them appeals to all future people with a court's decree—"we, the vested interests, have a right to charge you, the people, interest on our capital and add it to the freight rate on your food and your wares, and make you and your posterity pay for it." To have escaped this decree you should have been born before civilization commenced.

The building of the terminals should be regulated so that the railways could not build two where but one is needed, and the cost also should be confined to a reasonable sum.

The inducement for building exclusively for the use of the future is that capitalists find in it a means of converting the collective energy of the people into producing a fixed capital, and then charge the people interests on their capital that they have created by their own energy.

It does not require a profound student to see that the collective energy of the people applied to the use of modern machinery controlled by the Morgans, Rockefellers, Cassatts, and others will rapidly produce a capital so enormous that the "vested rights" as now interpreted by the courts will, if we let things go by this plan, make us and our posterity the abject serfs of the capitalists. We shall have to regulate the constructions if we would avoid the absolute, certain dependence that will rapidly overtake us in following the rule of the court.

In the Minnesota rate case, lately decided, the court held that the railroad companies were entitled to 7 per cent as a reasonable return upon their capital, practically holding at the same time that the increased value of property, caused by the necessities of an increased population, might be taken into consideration, and that the railways are entitled to interest on that, too.

The value of the property in the United States is approximately \$125,000,000. Following the construction of the court, the owners are entitled to tax the people for its use 7 per cent after their expenses are paid, which would on compounding double in about 10 years, be four times that in 20 years, and eight times in 30 years. At that rate the average interest charge per capita 30 years from now would exceed the present average earnings of the wageworker. None but the capitalists would then be able to educate their children. Already 80 per cent of the capital is owned by about 3,000 individuals and concerns.

Instead of looking at the economic facts and the industrial tendencies of things we have drifted into the habit of turning away from these and listening to politicians tell how they are going to remedy all this high cost of living with a simple revision of the tariff. It is the sheerest nonsense. The longer we are fooled with that pretense the more difficult it will be to solve the real economic problems in a proper way, and the greater the sacrifice will be.

Going into this subject further, let us look at things as they are, simultaneous with considering things as it is reasonable that they should be. By doing so plainly the conditions confronting us will become so self-explanatory that we will see at once that we have a remedy for most of our ailments within our control, one that can be simply and easily applied. We need not waste time in envying or criticizing the wealthy, for all of the advantages that they have we can have with less encumbrance.

Mankind can not much longer continue in the folly of producing for so-called profit as the main incentive, for with that as the first incentive is what creates the very wealthy. The incentive that should govern in production is necessity—the people's actual requirements. In other words, production should be so regulated as to practically produce those things which would supply the urgent, necessary, and desirable common demands. That is economic law, and if followed, development and production would be natural and not abnormal. We would all have what is properly due us if that were done.

Let us consider the city of New York as a concrete example. It is the most conspicuous example in existence of reckless and wanton extravagance; of social practices and business methods and management that contribute to the high cost of living. New York City is the Babylon of the twentieth century, anno Domini, on a modern and exaggerated scale. Business disaster awaits the people there who depend on the system of investment of their capital for their living and means of entertainment. When people apply true economics in their business management the wealthy of that city will necessarily suffer great losses. That time is near, and the enormous system investment de-

velopment in process there, now greater than ever, will make the catastrophe to these investors correspondingly greater. To understand this we must analyze and study some of the facts.

New York City's development to its present proportions was based on forced and abnormal conditions that have been and are an injury to the Nation. That city's growth looks greatest now, but it is taking its last grand dash and will soon reach the down turn, after which it will continue to decline until it reaches the plane where natural conditions will be able to support it. Such an overgrowth could not be healthy. It is detrimental to the rank and file of its own people even more than to people elsewhere. Many of that city's expensive structures will be vacated. The districts where the people are crowded together, striving to work out what is a miserable existence, will be abandoned. That should encourage people generally. The selfish interests will attack these statements, but the attack will not be along the lines of economic argument. In all probability there will be an attempt to reduce these statements to absurdity by avoiding a discussion of the economic truths involved.

The New York Times, July 7, 1912, devoted a page to the city's subways. It began with the following headlines:

BILLION-DOLLAR SUBWAY WORLD'S GREATEST UNDERTAKING.

It had the pictures of J. P. Morgan and Jacob Schiff as the bankers backing the scheme. It also showed three of the managers of the subway systems. In large type, formed into an inverted pyramid, appeared the following:

Greatest amount ever spent in a similar area since the world began; it makes the building of the pyramids a small task, and the new additions to the system alone cost more than the Panama Canal.

I direct special attention to the fact that the subways are not New York's prime development, but, rather, an incident of its growth. They are merely one of the evidences of its extravagances. Every year substantial and valuable buildings, enough in number to make a respectable city in themselves, are destroyed in order to give place to more costly and elegant ones—some of them the world's tallest and most expensive. The cost of the Singer Building was mounted into additional millions to make it the tallest building in the world. The directors of the Metropolitan Life Insurance Co. played with the funds of its policy holders to build another that would eclipse the Singer Building, at least in height. Including the grounds, it cost approximately \$22,500,000. The Metropolitan Life Building could not long retain the distinction of being the tallest, for the Woolworth Building, in process of construction, is still higher.

Building after building has been constructed in the million-dollar class in that great city, until their aggregate cost may be reckoned in the billions. That is the scale by which things are done in New York City. It is a city of extremes. Even so-called society must there outdo in extravagant expenditure all other places. Even Paris, the example the rest of the world apes in some of its dress and fashion parade, can not equal it.

It is a great picture to see New York by day or night. Its playhouses, its hotels, its clubs, its magnificence in a hundred or more ways amazes the average spectator. He thinks he sees the wonders of New York when he makes such a visit. But all that is visible to the eye is but the pin-money expenditure from the main field of speculative operation, of which neither the humble inhabitant nor the visitor ever gets a view.

If the visitor could see the books of account and know and understand the operations of those who run big business—financial, industrial, and speculative—he would be amazed to see the methods by which the few have not only levied on the industry of all the people in order to maintain the extravagances to which I have referred, but who have also in the same manner amassed the vast individual fortunes through which they now grasp the control of the country's finances, its principal industries, the transportation and distribution agencies, and the main material resources. In the handling and operating of these the toiling millions are employed. In what these toilers produce and in the productions of the farm lie the principal wealth of the country. Upon it capitalists draw for the building of the greater cities, more railways, more canals, more of everything that gives place to permanent investment.

Whatever view we may take as to the advisability of the great and constantly increasing construction that is in process for the sake of investment—whether we favor it or not—we know that it saps the energy of the people and takes too many of us out from the occupation of producing the actual necessities for physical existence, such as food, clothing, shelter, and so forth. Further, it prevents us from securing the necessary time for personal, moral, and intellectual improvement.

The number of people now occupied in constructing for purely speculative and investment purposes and for the purpose of satisfying vanity, in proportion to those so occupied in any pre-

vious generation, is so much greater that no one should look much further for the principal reason why we pay more for the necessities of life than we formerly did. To illustrate the point stated, I shall again consider the city of New York.

In this great city we are furnished with examples of the principal causes for the high cost of living. These suggestions should also teach us how the cost may be greatly reduced and at the same time how farm products and the wages of labor may be increased in their purchasing power, with employment for all and the hours of labor per day reduced, thus giving all people more time for study and improvement and the enjoyment of their rights. This again would build up the villages and small cities, making thousands of small distributing centers instead of a few that are overgrown. Two new terminals in New York City, the Pennsylvania and the New York Central, cost approximately \$200,000,000. They consist of huge piles of iron, stone, glass, and so forth, orderly shaped, chiseled, and arranged into two beautiful massive depots, the approaches through tunnels and over numerous tracks. Those terminals are exclusively the product of labor. True, their material substances are of the creations of Nature, but the work of forming them into shape for use is entirely labor's. We may ask of what effect is the manner of their construction in the consumption of our time and the power of machinery and whether they were really necessary. At \$1,000 per annum there would have been directly employed 40,000 people for a period of five years—some in the quarries getting the rock out from Mother Earth, some getting out the ore, some upon the railroads and the ships, some in the smelters and factories, and others immediately upon the grounds and buildings.

At the same rate the families dependent upon them would add 160,000 more people. While the number of people and the time employed is stated only approximately, it nevertheless serves to show the conditions. Whether there were more or some less employed is not material. The number directly employed does not take into consideration those more remotely occupied in supplying their necessities, namely, the farmer who produces the wheat, the miller who grinds the flour, the baker who bakes the bread, and the merchant who sells and delivers it to these men as food to keep them and their families alive while they construct these terminals. Then, again, we have the farmer who raises the sheep and furnishes the wool; the spinner, the weaver, the tailor, and so forth; in fact, all who produce the things to wear; and still again the builders who construct the houses for these families, and those employed in the transportation of all these things. Further, all of us thus remotely employed must in turn be supported with many of our necessities from still more remote operators. The response that I frequently receive to these statements is that we must have work, eat, wear clothes, be sheltered, have entertainments and that there is no loss, even when we produce extravagant structures, because it gives employment. That is where shortsightedness so frequently is shown.

Let us see what it means to employ 40,000 people to produce in our generation expensive buildings, tunnels, grades, and all of the other things to which I have referred that will last as long as people exist. Practically 200,000 people were supported for five years by the rest of us while they were building these two New York terminals, mere incidents in that city's growth. Those people produced neither food, clothes, nor shelter for themselves. Others of us did that for them, and therefore we all work more hours each day to supply them what they eat and wear. They competed with the rest of us in consuming the food, clothes, and other necessities of life, and produced nothing except terminals. These terminals are like a drop in the ocean as compared with the great number of other structures that are permanent in construction and will last for many centuries, and some of them forever, all of which we pay for with our energy at the time of construction.

The truth that it illustrates and teaches us is that in our own generation we make improvements that will be for the use of future generations. Those of us who are thus occupied must be furnished with all of the necessities of life. Of these we produce no part. No one should claim that the production of these structures is desirable simply because they create a condition that gives us employment. We have passed the period when such a claim should receive our respect. We should seriously consider ways in which we can use our modern machinery, better appliances in the production of the actual necessities, conveniences, and luxuries, so as to insure our having them, with less cost of energy than is now required of most people to even secure their barest necessities.

It might be claimed that the New York terminals were a necessity. As a matter of fact, that city and the traveling public entering it had better facilities before the new terminals were constructed than we have in most of our cities. I have

been in New York many times before and since, and while I acknowledge that the new terminals are more convenient than the old, there is no such material difference as to justify the charge and incumbrance placed upon humanity for the new terminals.

Some who believe in living in luxury and extravagance and who do not take into consideration the welfare of the people as a whole would advocate, possibly, that it was necessary to have the additional advantages afforded by the \$200,000,000 terminals. If we allow such an argument to prevail, there is no limit placed upon those who control the centralized wealth making expenditures wherever they choose, and relying upon the decree of the courts holding that they are entitled to recover a reasonable rate of interest upon the capital invested. The people should not be compelled by any decree of the court or by any Government agency to pay interest and dividends upon investments which are not first determined to be necessary for the general welfare.

The first point to be noted in connection with this extraordinary investment development of the present generation, of which New York City furnishes the most conspicuous example, is the fact that modern machinery, appliances, and human energy is so largely monopolized in the production of buildings, railway systems, canals, harbor and other improvements that give so little present service as compared with their use by future generations. How can we expect to reduce the cost of living and the hours of the laboring day and at the same time increase the production of the necessities of life if we use up most of the machine power and human energy in producing things which are principally for investment and to serve other generations?

The second point that I wish to impress is the fact that in addition to consuming our energy in the production of things for remote generations there is also the fact that production thus obtained is, under present practice, centralized into the control of a few individuals. That production is called vested capital, on which the general public is taxed rent, dividends, and interest. Thus we see it is not only the burden of production that is heaped upon the toilers of the world, but afterwards there is the burden of maintenance in addition to the interest charge. It must be plain to any thoughtful person that the methods of business as now employed and the manner in which we are producing is one of the principal causes for the high cost of living, and if we would remedy the difficulty we shall have to regulate production. If people were employed in the proper proportion throughout the different industries and occupations that produce or supply the necessities and conveniences that we require, we should then have those necessities in greater abundance and with less expenditure of time.

Suppose, for instance, that 3,000,000 of New York City's population and 5,000,000 from Chicago, Philadelphia, Boston, and other overgrown cities were to be distributed into the smaller towns and cities and onto farms, thus bringing the producers and consumers into closer proximity. There would be no \$1,000,000,000 subway for the New York Times to brag about; neither would there be \$200,000,000 expended for terminals in that city. There would be no 25 to 50 story buildings. Everything would be on a less expensive scale. Then the remaining people in those cities, as well as those who were distributed into the less-populated sections of the country, and also the people living in the districts to which they came, all would be more prosperous. An immense amount of machine power would be saved to be put to more useful purposes than building up extravagant cities. It would mean that the farmer, the wage earner, everyone, would secure better results from his energy and would not be compelled to labor so many hours per day for the necessities of life.

The subject is so great that to discuss it at length with concrete examples from the works of the times would extend indefinitely, and therefore I shall not attempt to do much more than add to my remarks by quoting from my former speeches on this subject. So many people have been impressed by politicians that the tariff is the great problem before the people that affects the cost of living that political parties as well as candidates have been turned in and out again and again. Nothing so suits the special interests as to have the people occupy their time thinking that the tariff is to blame for our troubles. The tariff system is in bad shape, but it is of minor importance as compared with the financial, the transportation, and the economic systems of the country. Those who claim that the tariff is the principal cause for the high cost of living should be called on to show what the difference in the cost of what one buys in this country would be if the same things were purchased in any other country. That difference would be so little that the fellow who claims the tariff is all to blame for the high prices would be at a loss to make good his claim.

In the management of our social and economic relations natural laws are not sufficiently followed, and the high cost of

living is chargeable to that largely. It can be reduced only by an adjustment to natural conditions. Except for temporary causes that may for a time cheapen the cost, living will in reality grow higher and higher until we establish economic order. I read from one of my former speeches the following:

The idea of future use does not exclude all present use, for in the construction of canals, bridges, tunnels, grading, and buildings of a permanent nature they serve present needs, but the construction bears its cost for remote future service as well. The National Museum here in Washington is an example. We use that building now, but the amount of energy lately expended in its construction is principally for the use of future generations.

The most notable example in the world of a single project to convey the idea of present production for future purposes is the Panama Canal.

January, 1910, there were employed on the Canal Zone 45,000 people, who, on the basis of family heads, would represent a population now supported by that project of at least two and one-half times those so employed. To furnish these with food, clothes, and shelter, and supply the machinery and appliances with which the work is done and the material that goes into the construction, all of which are produced elsewhere, requires a still larger number of people, and these, again, require food, clothing, and shelter, machinery, tools, and appliances with which to do their work; and what they use, too, must be produced mostly by still others; so that, all in all, the Panama Canal, constructed wholly for future use, requires an expenditure of known energy involving several hundred thousand people, including their families.

In the city of Washington alone there are now 104 persons, exclusive of their families, engaged wholly in clerical work connected with that enterprise. The canal will serve no purpose until it is completed and, compared with the more remote future, little during the present generation. The Panama Canal when completed will be one of the world's great means of conservation, but for the present generation it serves to consume only. We tax ourselves for that construction for the use of future generations. I do not mention this as a discouragement to its construction. But when a farmer builds a new house he has to pay for it, and so the people are now paying for the canal, and it adds to the cost of living.

There is each year a proportionately increasing expenditure of energy in making permanent improvements on our rivers and harbors, on forts, in grading, tunneling through hills and mountains and under rivers, and bridging rivers. For example, the new tunnel-railway systems in New York City approach in cost half a billion dollars.

In the publication known as "King's Views of New York," the taxable property of that city is given as \$7,158,190,400, and property exempt from taxation is given as \$1,239,883,798. It is well known that the taxable value is seldom over one-half of the sale value. In the taxable valuation the greater part of personal property escapes. This increased production has not ceased, for in New York City alone, says the same publication:

"Engineering works to cost \$600,000,000 are now underway, and others to the extent of an additional \$1,000,000,000 have been planned. The bringing to the city of 200,000,000 gallons of water a day from the Catskill Mountains involves building 12 reserve reservoirs and a conduit 60 miles long, at a cost of \$161,000,000."

I read in their daily papers of April 5, 1910, that "civic bodies have asked for \$800,000,000 for subways," and the press further states 1,000 citizens visited the city hall clamoring for the above.

The people call for investments that would ruin them if they were to increase in the next 15 years in the proportion that they have in the last 15.

The above are quotations from my remarks made in the House June 16, 1910. The succeeding years have followed along with even greater plans that are being carried out. Quoting further from my former speech:

Nothing would more clearly demonstrate the effect of this increasing production for investment and future use on the cost of living than to print in the RECORD the views of 50 or more of the recent important structures in that city merely as an index to the thousands of others that have recently been and are now being constructed, as well as those in contemplation there and elsewhere in this country.

More people are now employed in building for future use than ever. There is agitation now in this Capital City for many new permanent Government buildings that would cost perhaps more than \$25,000,000; \$13,500,000 is included in the pending appropriation bill. It is said that the Government rent account is so high that it would be cheaper to issue bonds and pay interest and have the Government own its buildings. Admitting that that may be a fact, the interest and rent accounts do not enter into primary causes, but are social conditions.

The work on that class of improvements has required the continuous energy of largely increasing numbers of people. The product of that energy will serve future generations much more than it does the present. The work is of permanent nature, produced by present energy, and those thus employed, the same as those engaged in the construction of the Panama Canal, require food, clothing, shelter, tools, and machinery with which to work, and all these must be produced by still others, and those so producing likewise require to be supplied by others again, and so on indefinitely. The number of people thus engaged in proportion to the present population is so far in excess of what it was in earlier periods that it is a very material factor in connection with increased costs.

The people of the present seem also to have gone insane on the construction of monuments, statuary, and the like. These are placed in our parks and public places. In cemeteries are vaults, tombstones, and other monumental work requiring an amount of energy in construction far in excess of that employed in any earlier period. And yet it serves no economic end, and those who furnish this energy must be fed, clothed, and sheltered as others are.

I could furnish examples, almost indefinitely, of the great increase in energy employed now over earlier periods in the production of things for permanent use. It indicates clearly that we are living for a different purpose than we were 25 or 30 years ago. The increase has been enormous in the last 10 years.

Duplication of labor makes an enormous addition to the cost of living. The railways early formed a system, the effect of which was to rob the people of a part of nature's resources and advantages, and to reduce their average earning capacity, thereby inflicting on them a general injury. The purpose of the railways in doing this was to

force the payment to them of greater freight charges. They divided the country into distributing centers and called these terminals, giving to them preferential rates. I quote part of my speech on the new interstate-commerce bill to illustrate the point:

"Seattle, Wash., is a railway terminal point and Spokane, in the same State, is not. The two cities are 400 miles apart on the line of the Northern Pacific Railway. When freight is shipped from such points as St. Paul, Chicago, and other eastern cities to supply the Spokane market, it is subject to the railway's arbitrary terminal system. Solely on account of that system it is cheaper in many cases for the people in Spokane to have their freight shipped to Seattle and then back to Spokane than it is to consign it directly to Spokane.

"For example, the freight on a certain class of goods from New York or Boston to Spokane is \$1.25 per hundredweight; to Seattle it is 95 cents. The freight back to Spokane is 26 cents per hundredweight. Thus it appears that on that class the freight from Atlantic coast terminals to Seattle and back again to Spokane is 2 cents less per hundredweight than it is to ship it directly to Spokane, and there are many other classes of which the same is true. The freight on class 1 from New York to Spokane is \$4.15 and to Seattle \$3.

"The freight from Seattle back to Spokane is \$1.35. On class 1 the railroads obtain 20 cents per hundredweight more for hauling to Seattle and back than they do for the direct haul to Spokane, and yet I have been reliably informed that on account of the physical conditions existing in the territory between Spokane and Seattle the cost of transportation to the railways between those points, 400 miles, the trip one way only is fully 50 per cent of the cost from New York to Spokane, a distance of nearly 3,000 miles. The charge on agricultural implements from New York to Spokane is \$1.75 and to Seattle is \$1.25. I mention these merely as examples. By the railway's system of calling Seattle a terminal the absurdity of the duplication of labor and capital is made less apparent. That absurdity gives to Seattle an added wholesale trade that is naturally tributary to Spokane. The effect is that freight destined ultimately for Spokane from points east goes through the wholesalers at Seattle. Calling Seattle a terminal creates that absurdity, but nevertheless it is the railway's excuse for discrimination against Spokane. Sometimes the railways excuse themselves on the ground that they are competing with waterways, but they also practice like discriminations in favor of some cities in which there is no natural water competition.

Briefly stated, Spokane practically pays the total freight charge to Seattle, a long haul by 400 miles, plus the return to Spokane, an additional 400 miles, the return being charged for on the short-haul basis. Before the freight gets to Seattle from the East it passes through Spokane, where it belongs, and naturally should be switched for delivery to the ultimate consignees, thereby saving the trip to Seattle and return, 800 miles extra, but the railways, by the terminal subterfuge, send freight on to Seattle, from which point it must be returned. By doing that the ultimate consignees, in addition to paying extra freight charges, also pay warehouse expenses and handling through middlemen at Seattle. Now, then, picture the real facts. Almost innumerable engines have been, are, and will be attached to as many trains of 30 or more cars each, loaded with freight ultimately destined for Spokane, and conductors are required with each of these trains. Think of these trains all loaded with goods for use in Spokane, the very city from which they take a new start. There they are now, and have been in the past by the thousands, and will continue to be until the folly is stopped by sane legislation, which it is our duty now to enact. These trains are actually run on to Seattle. After reaching there, their freight has to come back over the same track. They make that trip of 800 miles to satisfy greed.

The railways by that process are depleting the coal supply and unnecessarily and ridiculously using up the energy of men, all as a pretext to charge extra freight to the people tributary to Spokane. I do not mention Seattle and Spokane as exceptions. The system prevails generally in railway practice. Practically every town in the district I represent is unfairly discriminated against to the advantage of a few interests in larger cities elsewhere. The railways everywhere discriminate in favor of their selected terminal points and against all other localities, thereby compelling millions of people to locate at these various terminals who otherwise would have selected localities in which to settle determined by natural physical advantages.

We can not dismiss the subject here, however, for the waste does not stop with the wanton consumption of labor, the burning of coal, the wear and tear of tracks, etc.; but on account of the discrimination great numbers of people other than those mentioned are compelled to perform additional labor made necessary solely by the subterfuge of separating by long distances producers from consumers by discriminatory rates designed for the purpose of securing the long haul. The long haul where a short haul would do better requires additional sidetracks, additional labor to keep them in repair, additional warehouses, and other expenses of maintenance, and in the terminal cities are required additional systems of street railways, additional middlemen, etc. It keeps growing as it is figured out to its more ultimate effect.

The railways thus selfishly secure several times the amount of business that they would if they gave the general public the benefit of natural economic conditions, for by the latter production and consumption would be in nearer proximity.

Without railway discrimination in their favor, cities with as large population as New York, Chicago, Philadelphia, and others of that class would be impossible with a general population of only 90,000,000. All our smaller cities would then be larger and the people everywhere more thrifty. It is impossible, even approximately, to determine what great injury this discrimination has caused the general public.

The consequence of that evil practice of discrimination is that the wholesale business centers arbitrarily in certain cities, say, like in Seattle, which supply the territory that is naturally tributary to Spokane."

MR. ADAMSON. Will the gentleman permit an interruption?

MR. LINDBERGH. Certainly.

MR. ADAMSON. Does not that seem to indicate that God himself did not know which one of these cities should become the place nearest to New York?

MR. LINDBERGH. That may be; but I should say that God, even in His infinite power and wisdom, could not have anticipated, when He created man, that man, when clothed with the authority of a railway director, would by the subterfuge of long and short hauls so distort the advantages of physical conditions of the earth that it would be necessary to charge less for a long haul than for one 800 miles shorter on the same road, and make that kind of practice the general system of the country, thereby depriving the people generally of the advantages of natural selection.

One of the excuses railways offer where the discrimination is in favor of towns located on water navigation is that they must compete with water transportation. And then there are those who would vote to pay out of the Treasury of the United States for ship subsidy, so that American ships may use the people's money to compete with American railways to still further reduce freight charges to the towns on water transportation and charge the loss, if any, to the people who do not live on navigable waters. If some of you ship-subsidy Members desire to help American shipping you might think a little of what the railways say about the long being charged to the short haul to compete with navigation.

Mr. WEISSE. Would it not be an advantage first to get a real good regulation bill and take care of the American shipper before we start on the ocean to take care of foreign shippers?

Mr. LINDBERGH. There is no doubt about that. We would better adjust ourselves to the natural conditions created by God instead of paying subsidy to help out some of the special interests.

Since answering the above question of Mr. Weise on the floor over two years ago, the question of an indirect subsidy to American ships by giving them free toll on the Panama Canal has come up and been voted on in the House. I believe that there is no more sense in the American people taxing themselves to build that great canal and then giving the American ship-owners the free use of it than there would be for the United States to build a transcontinental railway and then turn and give the use of it free to the railways. In neither case would we get advantage for what we pay. To show examples to further emphasize what I mean by that statement I read from a speech I made in the House on February 27, 1912, the following:

We gave away our public domain, our timber, our mineral, our water powers, our ports, and our terminals, etc. That is what the stand-patters in Congress gave away. Do the railroads charge us less freight because they get hundreds of millions of acres free land grant? Do we get lumber cheap because the lumbermen got the timber for almost nothing and much of it through political trickery? Do we get the products of the mines cheap because the owners got the ores for little or nothing? Does the owner of a lot, who gets it for a few dollars, sell it cheap when the demand for it has increased the value to thousands? If the rich getting things for nothing makes things cheap, how do you account for the high cost of living? How will you account for the Rockefellers, the Morgans, the Hills, the Harrimans, if when they get things for nothing they give the people the benefit of it—I mean the 3,000 persons who own and control more wealth than all the other 93,000,000 together? Are they letting us have things cheap because what they have cost them so little?

All this talk about the consumer paying the ultimate cost of the toll and that therefore we should make the canal free for the shipowner is ridiculous. If that statement is true, we should exempt the farmers from taxes, because they will be added to the price of wheat, corn, stock, and other products. The farmer is not asked what he charges for his produce. The buyer fixes the price of those and tells the farmer to take it or not, as he likes, but the farmer does not fix the price of what he must buy. That is fixed principally by the trusts.

The farmer must pay it or go without. The wage earner is in practically the same position as the farmer. Both are victims of the big combinations, and they who advocate giving free tolls, which President Taft has said are an indirect ship subsidy, and which every student knows to be true, do so to make a few more rich at the people's expense. Reading again from my former speech:

I noticed that Mr. James J. Hill, one of the greatest men in the country, not only as a railroad man, but generally a well-informed and profound thinker of sound judgment, recently said:

"The tonnage offered the railroads for transportation is constantly on the increase, and there is little doubt that the railroads will be called upon to furnish more transportation units than they have ever before been asked to furnish. From all indications it appears certain that by next fall or early winter the railroads will be totally unable to furnish anything like the amount of transportation facilities which will be demanded by the country."

No man knows better than Mr. Hill that the terminal discrimination system is one of the causes of the conditions to which he refers.

That by next fall or early winter the railroads will be totally unable to furnish anything like the amount of transportation facilities which will be demanded by the country.

Of course Mr. Hill's statement, so far as his interests are concerned, is no complaint, but is a prediction of great fall and winter business. To those who can not get cars or transportation when the times comes, it will be a complaint.

The uneconomic conditions created by discrimination in favor of the long as against the short hauls are the cause of the trouble which Mr. Hill stated as likely to occur; but if Congress will so amend this bill that there will be no discrimination in favor of special interests in the railroad's selected terminals, and then provide that the bill shall take effect 90 days after its passage instead of 6 months as now proposed by the bill, there will not be so many "units" required to take care of that extra 800 miles from Spokane to Seattle and back, and to cover like conditions that exist to greater or less degree in hundreds of other places.

It takes a great stretch of imagination to justify the hauling of freight from New York, Boston, or other Atlantic seaboard, through Spokane to Seattle and back to Spokane for the people of Spokane in order to compete with water navigation.

Some improvements have been brought about by the rulings of the Interstate Commerce Commission since I made the statement, but the discrimination of which I complain is not stopped.

We are paying the penalty of railway discrimination in the shape of increased cost of living.

We should not forget that the effectiveness of machinery, guided by our increased knowledge in the application of our labor, reduces the energy cost of production very many times, and if it had not been for

the additional advantages given to production by the use of machinery we would long since have found the present system intolerable. If labor had been employed in the use of all new machinery to the best advantage in economical development of our enormous natural resources, the net cost of production and of living would have been immensely decreased and our advantages correspondingly increased. To illustrate the saving of energy, I call attention to the fact that when my father located at Melrose, less than 50 years ago, the distance from St. Paul was 145 miles by wagon road and is now 108 miles by rail. Freight was then done principally by ox team. It would have taken 10 wagons, 40 oxen, and 5 men 8 days to haul 40,000 pounds of freight from St. Paul to Melrose.

To-day it would be placed in a small car, and 60 of these attached to one engine, and with 5 men to operate the train they would make the trip in a day. There would be 12 cars to each man. The 5 men so applying their labor to the use of modern methods would haul 60 times as much in 1 day as 5 men under the old way did in 6 days.

One man, by the use of modern methods in the case referred to, now does 360 times as much transportation per day as 1 man did with the old ox-team method. What becomes of the saving of energy? Who gets the advantages of it? The people of Melrose, for instance, do not now get their freight 360 times cheaper than they did under the old ox-team system. A large part of this increased energy has gone into what we now term capital, controlled by a few; part has served to increase our general conveniences and luxuries, enjoyed by us in different degrees.

That is an exceptional case, of course, but that improved machinery has added enormously to the productions of labor stands without challenge. That should decrease the cost of living, but is offset by expenses, interest, dividends, etc., to which I shall directly call attention.

Lately President Taft is reported to have said "This is the automobile age." We shall have to plead guilty to the indictment, if it was intended as such, for we are in the automobile business; not, only literally, but figuratively as well, for everything is on the automobile scale, and taking the automobile to illustrate:

The labor department of the State of Michigan for 1909 reports the motor-car output for that year in that State reached the enormous figure of \$135,000,000 wholesale. Their pay roll alone showed that 27,996 men were employed directly in the production. In the city of Detroit the figures for labor and cost for the year, as appear in an article on the "Greatest auto town—Detroit," show the progressing increase, as follows:

Year.	Men employed.	Cars produced.	Value.
1907.....	4,452
1908.....	8,430	18,290	\$23,595,000
1909.....	14,500	45,560	54,325,000
1910 (estimated).....	25,000	123,000	130,000,000

What the total output in that special industry in the entire country is I do not know. No other State equals Michigan, but undoubtedly the total of the others far exceeds the above figures. The life of an automobile is short. It takes an army of chauffeurs to run them. The figures account for one year only, which show that even the Panama Canal in its consumption is small in proportion. We pay it all in the cost of living.

Without giving further examples I wish to inquire from what source we get all this extra energy employed in the duplication of labor and capital and in the production for future use? We realize that the effectiveness of labor has been increased manifold by the use of machinery. The increased production thus obtained has been absorbed principally in supplying the waste of energy caused by the duplication of labor and capital and in production for future use, but modern machinery and methods were not alone sufficient to meet this increased demand.

To meet this extraordinary demand for human energy there has been a shifting of population from the country to the cities. People have left their farms to take up and do the increased work caused by the condition referred to. Immigration has supplied a part, but farmers have come in greater and in constantly increasing numbers to the cities to do all kinds of work, from the ordinary laborer to the most skilled artisan, and to all the professions and business occupations in general. Most of our great men have come from the farm. Farmers seem to have considered that they were getting better pay and advantages by going to the cities. The cities, on the whole, appear to them to offer greater inducements. That is responsible for the increasing population of the cities over the country, but the tide will turn.

There are some things in connection with this change that the public failed to take notice of. No notice was taken of the fact that labor is not getting pay commensurate with the additional advantages afforded in the fuller and more complete use of machinery. Labor is led to believe that it is paid better now than ever, and as prima facie evidence of this capitalists point to our increased conveniences and luxuries.

The reason the remaining farmers have been able to supply their departing brethren with needed products from the farms was because of their use of improved machinery.

Suppose we had not wasted our energy in keeping up the long duplicating hauls, as illustrated between Spokane and Seattle, and suppose, too, that the population of the country had distributed itself according to natural selection, as it would have done excepting for the fact of the railway's discrimination, then our producers and consumers would be in nearer proximity. Cities of the size of New York, Philadelphia, Chicago, and others now overgrown would have been much smaller and their inhabitants more thrifty and happy, and that which is now their excess would have been distributed over the continent from the Atlantic to the Pacific in obedience to natural laws.

Then all would have been more prosperous. Then modern machinery with the better knowledge of application would be applied to a production more directly connected with our present needs. We would now be getting better results, and we would not be using up our natural resources with such alarming rapidity.

The violation of natural laws to favor a few special interests is most alarming, and, unless we correct our present system, disaster ultimately awaits the Nation.

Conservation of our forests, of our coal, oil, and minerals, and of our water powers is now uppermost in the public mind; but, so far

as I have been able to observe, the way to the best means for the conservation has not been considered.

The greatest service we can do ourselves and future generations is to establish transportation rates determined by the reasonableness of conditions. The transportation systems are the arteries of our commercial relations. To make freight rates that shall give to all localities and to all parties rates governed by the reasonableness of conditions, instead of by the absurdity of the railway terminal system and competition, will stop the excessive growth of the large cities, where most of the waste occurs, and will turn the people back to the smaller towns.

Producers and consumers will then be in closer proximity, and there will not be the waste in unnecessary hauling back and forth as now. It will also reduce the production for future use. It will lessen our own burdens and leave future generations to come in on more natural conditions and give them a chance to solve more problems suited to their times.

Observe, again, that the farmers have gone to the cities for what seems like self-interest to them. Suppose self-interest should turn the tide back to the farms and villages. The terminal cities could not retain all their people if it became clear to them that they would be generally improved by a return to farms and smaller towns. If we make transportation rates meet natural conditions, the farms and smaller towns will rapidly improve. Those who found their lot satisfactory in the large cities would stay, and those who saw better opportunities elsewhere would emigrate to the places that looked best to them. That would improve those who remain as well as those who departed, and all would receive the advantages of the net decrease in cost of living. The change would be obeying a law of self-interest.

Labor has been overtaken by the present methods. The more round-about method used to employ labor the more labor is taxed to maintain intermediary agencies. All the burdens of production rest on labor in some form. It is the roundabout process, through a multiplicity of intermediary agencies, that has put the price of necessities so high that life is a serious problem to all who maintain themselves by daily toil. Labor gets its best results from an economical distribution of employment rather than by creating additional work to be done, unless such work supplies actual necessities.

We can maintain several times our present population in prosperity equal to or, in fact, greater than the present if we conserve our natural resources and those created by labor and eliminate the work that absorbs without creating necessities.

When one knows the area of the United States and comprehends its vast natural resources and realizes that at first all of it was wild and most of it unoccupied and unclaimed, except as the public domain, it fills the measure of one's thought as to how, in the short period of our history, the transformation has been made from its wild state to the richest and busiest nation on earth. Orators have made use of the fact to deliver themselves of some great masterpieces. I would take from none his pride or enthusiasm for his country. We all love our American institutions, but we should not rest content with orations nor view with superficial eye the great wealth that has been accumulated out of natural resources and the people's energy without inquiring as to whether these are still intact for the continuing common good. It is not enough that in these we surpass all other countries unless they are enjoyed, in a general way, by those who furnish the energy to make them and are guaranteed to continue for the common welfare.

Very little of the public domain is left. It is now vested in private ownership. It is said that 80 per cent of the wealth in America is owned and controlled by 3,000 estates, corporations, and individuals. Of the remaining 20 per cent a considerable part is owned by other wealthy people and concerns. Time permits only a partial review of why so much property is vested in so few.

Great wealth has come from natural resources, coupled with production of labor. Under present adjustment we require to use wealth, and we pay interest and dividends on it, so the public domain and what labor produced is now vested in a few whom we pay for its use. How much we do not know, but we may approximate it. It is estimated by the Treasury Department that the corporation-income tax, if the law is held valid, will yield about \$30,000,000 the first year—1 per cent on \$3,000,000,000 of their net earnings in excess of \$5,000. I can not state it authoritatively, but I have no doubt that the profits in interest and dividends on capital not subject to this tax exceeds that which is and that the total interest and dividend charge per annum exceeds \$7,000,000,000. If we had controlled our public domain for our common welfare and had made rules regulating commerce and trade so that it would have adjusted to natural conditions, then the wealth would have been distributed among the people and we would not now be paying such enormous interest. If things are continued under present practice of compounding interest and dividends for the wealthy, our social system will crush under its own weight.

Distributing \$7,000,000,000 on all living, from the cradle to the grave, it is \$77 per capita. What happens to a husband and wife with five children under working age and two dependent parents—not an unusual family? Their burden would be \$693 per annum and still rising; but "cheer up," for the worst is coming.

In order to enable a few to get this vested wealth, a false system had to be established, permitted by the Government. The expense in energy to support that system dwarfs the \$7,000,000,000 interest and dividend accounts in comparison. All expense is charged before interest is computed. If it were seen by us; if we had it in our hands and then paid it, we would realize and be in more haste to correct the evil, but those who cornered the wealth knew that, and by indirection keep most of us blind to the fact.

The rules by which we are governed make it as effectually a charge against us as if we executed and delivered an enforceable mortgage upon our persons. It compels us to work more hours per day. Before our wages are fixed they are reduced by the calculation. What we buy costs us more.

We permitted the Government to be loosely conducted and allowed the forests, minerals, and other primitive wealth to get under exclusive control. Those in control charge all we can stand for the things we must have. For the most of us the limit of our capacity to pay determines the price. In the place of values being governed by relation they are arbitrarily determined by force of circumstances within control of the interests.

These demand us to be content with our prosperity and cite the fact that we enjoy more luxuries, live better than ever. They say no other country has such prosperity. I do not deny that.

My inquiry is: Do we obtain our natural advantages? I say we do not. Every advancement made by civilization is due to add to our common welfare. If not, then the word "advancement" is a misnomer.

Consider what machinery has done in the way of increasing production. Within the period of our country's history new inventions

enable one man to produce many times more than a man could at the beginning of our national career.

This increased production is one of the reasons why we have been more prosperous as time has advanced; but if the surplus increase continues to concentrate in the hands of few, and the necessities of the people, by reason of their increased numbers, shall become greater, and those who control the necessities shall be permitted to increase the price in proportion to the increase in necessity, then we are certain to reach the crashing point.

Another reason why we have been more prosperous than other countries is that our primitive resources were the inducement to people to come from all parts of the world to make this their home and join us in the country's development. We have left to the old countries their aged and decrepit. They have nursed their youth from the cradle to the full strength of manhood and womanhood, and then their young men and women have come developed sufficiently to immediately become a part of our producing energy. We have not expended our Public Treasury for their education; nor was our time expended in making them self-sustaining. It would have made a difference in our progress if 50 years ago immigration had ceased. It would have made still more difference if somewhere else on this globe there had been another continent that offered to our young men and women much better inducements than our own, thus inducing them to emigrate. That was the condition with which the old nations had to contend. To justify our prosperity as sufficient because it is greater than in these old countries is evading the consideration of our natural advantages.

We have permitted some to come who have not made desirable citizens, but until recently comparatively few such have come, and such are a mere fraction. No careful student denies that a part of the prosperity we boast is due to the immigrants who have come in the full vigor of youth to join us in our industry.

Our prosperity is not so much the result of wise government as it is due to natural conditions over which legislation has exercised no control, but, on the contrary, by the failure has permitted certain interests to acquire exclusive control of the resources, and that control has limited our progress and put up the price of our necessities.

Discriminating freight rates in favor of the railroad centers have created abnormal conditions, extravagance, and overdevelopment in those centers. It has been a great tax on human energy. The energy had to be drawn from the country principally. Farms and villages have been deprived of a large part of their natural advantages. In no way could the work in the cities be done without drawing from the country, so the railways sacrificed the country for the cities.

So many are now engaged in the production of the things that are not consumed by the people in general that not enough of us are left to produce what we do consume. The cities may continue a while longer their enormous outlays and expenditures of our resources, but the limit for the good of the country has passed, and when we realize that we are moving in the wrong direction the course of the population will be turned back to the farms and villages. That will be true conservation and make a more prosperous land and happier people.

Conditions are transitory. We do not know to-day what will occur to-morrow. The forces of yesterday left their impression upon affairs of to-day. Those of this day will lap over into the morrow. Thus the past, present, and future are linked. No new force has come into creation. The differences that take place have been but the varied arrangement of original principles. Almost infinite variety is yet to be tried. These trials will bring us to higher planes. Each failure recognized induces the forces of repair. Thus we have come down through the ages with infinite variety; likewise we are passing through the present, and so we shall go through the future.

We ought not to be discouraged. The succeeding periods bring new and better results. Failures are but temporary. They furnish the inducement to strive to correct whatever is wrong. As a result we should always be inspired with hope, reinforced by our reason. The fact that our course is onward and upward whenever and wherever people come to a better understanding should give us satisfaction. Knowledge is the way by which we shall travel safely.

Many of the new arrangements and the most valuable discoveries made in each decade were ridiculed in the decade previous as the visionary dreams of those who were working out their solution. The mind that harnessed steam and made it work for all men; the mind that sent kites to the sky to play with electricity and plan its harness; the mind that arranged wires to send long-distance messages and to carry even the voice in a whisper across a continent; the mind that contrived the apparatus by which to transmit and receive human messages through trackless space on the air waves; the mind that devised the machines with which men fly; yes, the minds that devised political and social reforms, and more than a thousand other discoveries that serve this generation, were first criticized as the visionary and impractical dreams of persons supposed to have unbalanced brains. Sad, is it not, that those who seek to build for the good of all men should be stamped by the unthinking as calamity howlers and dreamers. And now, after all the examples that history has furnished, we still denounce as visionary the work of those who discover new scientific facts, give the world new inventions, and inaugurate new methods and systems for the common welfare.

But hold for a minute lest we enthuse too greatly over the higher civilization. What has it all resulted in? The great discoveries have constantly amazed and electrified the world. People have advanced more than a hundredfold in economic effectiveness; their mental realization has immensely increased and possible social opportunities enormously enlarged; still there has been no correspondingly equitable individual benefit. As a

result of the new order there are a few multimillionaires, but the most of us are striving with difficulty to obtain the bare necessities of life; and yet, notwithstanding this great difference in the control of the material agencies, there is, perhaps, no difference in the average capacity of intelligence on the part of the poor as distinguished from the rich. Then why should there be such a difference in their life results? This is a fact that I have attempted to explain in part. We should have a committee on industrial relations in this House to deal with this question. The reason I speak now is that I shall press for consideration early in the next session the adoption of a rule to create this important committee. Later a permanent commission may and should be established. Members will readily see its importance.

Knowledge is the means by which we can determine the relations that should be maintained in order to promote the common welfare. How can we have anything even approaching equality of opportunity until we, the people in general, understand the political, economic, and social forces that are in operation. Until we do there will be official, industrial, and social discrimination, and consequently the enormous inequality between people will continue. The few who are informed and understand will use their knowledge to their selfish advantage and keep the rest of us working for them. Why should we continue to follow the same methods that boss politicians, subservient to the interests, have planned for us? Shall we still allow them to continue to employ graft and use patronage in order to serve the interests so that they can get from them campaign funds and other favors? Shall we follow their selfish purposes and tag as "calamity howlers" and "dreamers" those who point the way by which to improve conditions? Shall we fear them and fail to adopt the improved systems proposed in our generation and which would satisfy our most urgent needs? Surely, after all that has passed, we can not believe that we can trust the management of the Government to political bosses who dole out to their favorites all the offices of public trust and to the special interests, favors in the shape of legislation and otherwise. By these methods our greatest material resources have become the property of the specially favored. Surely they should not be allowed to pilot the ship of state. We should no longer be herded by the political bosses within so-called party lines, in order that they may manage the Government. No statesman with the interest of the people at heart, and who has observed in the last few years the traducing of expressed party principles as well as the subversion by party bosses of the machinery of Government to the interests of the few, will say that this is rightly a Government by parties. Those who do state this are either wittingly or unwittingly the spokesmen for the special interests. The political parties in these last years have divided the people. The bosses have controlled the machinery of the parties and regulated them by the caucus system. Further, the caucuses have been divided into factions, each in turn controlled by bosses, so that practically a Government by party proves to be a Government by the special interests. The special interests court the party in control. It matters not to them which party. All they want is that the people should be divided into parties, the parties divided into caucuses, and the caucuses into factions. The strongest faction is generally controlled by the bosses, for the interests always deal with the bosses. As a result he who fights to keep the Government within party control usually fights for the special interests.

Right now is the time for the single voter to begin to exert his undeniable rights. He has seen that party government rounds to the interests of the few. The voter, when he votes in accordance with his own interests, votes in accordance with the interests of the majority of his fellow citizens and against government by bosses. If we would have a Government by and for the people, then it must be essentially a Government by the direction of the voters instead of by political parties, who are in turn governed by the factions and the latter by the bosses. Legislation should never be determined by a political party as such in a separate body from that which has under the laws the responsibility. Political parties may serve most useful purposes through which people may organize for the promotion of reforms, but they do not belong in the halls of legislation as a means of dividing the peoples' representatives into factions, so that a minority instead of a majority of all the peoples' representatives enact laws. That is what is being done in this House now. There are 395 Members, but of this number about 200 have separated themselves from the official House, calling themselves Democrats. They hold caucuses, and what a majority in these caucuses decide the minority yield to. By entering such a body for anything more binding than a fair, honest discussion and conference with a view of clearing up their understanding, amounts to a violation of their oaths. I realize that the

Republicans when in power were just as wrong, but that is no justification. That practice creates factional and not national government. Ours is a Nation and we demand a national government.

Mr. SIMS. May I ask the gentleman a question?

Mr. LINDBERGH. With pleasure, I consent.

Mr. SIMS. I have not had the pleasure of hearing the entire address. Does the gentleman accept the theory or the fact that population is increasing more rapidly than the means for its subsistence? I believe it is called the Malthusian theory.

Mr. LINDBERGH. The natural conditions and the material resources of this country are so great that under any well-regulated order in the application of steam, water power, electric, and other mechanical energy of which people can make use in the production of the necessities of life there is practically no limit to the population that could be maintained in prosperity, contentment, and happiness.

Nothing is so beautiful as the truth when it stands out prominently in contrast to error. Nothing suggests more clearly the duty of people to themselves and toward each other than a well-regulated family. There all is consistent. Each fills the place in life that is natural, and the parents naturally respond to all the requirements of their children. But they do not allow them to remain dependent beyond the period of childhood, nor do they contemplate becoming dependent upon their children. Each trains to respond to the laws of God, and develops in human sympathy from the purity of his nature, and seeks to fill true purposes in life, and especially to be self-sustaining. The ability of mankind to increase in population without men becoming incumbrances on each other is dependent on the working out of this same principle. It should be bred into children from infancy, and if it were not for the oppression forced upon the family from the errors of society and the failures of government, every well-regulated family would succeed without difficulty.

In my remarks I have shown that very many people are idle and that still more are engaged in occupations that do not produce the necessities of life nor those things that contribute to the common needs of either themselves or others. These are not self-sustaining. They compete with the rest of us who do produce in consuming the products that are necessary. It is apparent, therefore, that those who are idle and those who are engaged in occupations that do not produce necessities or furnish conveniences that people in general can enjoy are an incumbrance on the rest of us. That is why all able-bodied persons should be self-sustaining. Of course that does not mean that each person should produce what he eats, wears, or enjoys; but it does mean that he must, in order to be self-sustaining, produce or furnish something that fills the actual needs of humanity. The teacher, for instance, produces no material thing, but does fill a necessary place, therefore comes within the purview of a producer. The same is true of all persons who perform necessary social service, manual and mental, or either.

I do not doubt that at least 3,000,000 of the people residing in and adjacent to the city of New York, practically forming one great city, depend wholly on what others produce for their living, but do not produce anything whatever that supplies the actual needs of humanity. They compete in consuming what all humanity must have, and therefore their demand enables the trusts that control so many of the necessities to increase their price to all who must buy them. In order to support the 3,000,000, every farmer, every person working for wages, everybody, in fact, who serves the needs of mankind, must give a part of his life effort. There is no escape from it. New York is not an exception except in its magnitude. Everywhere we find the same process in action. Because of that condition the farmer, the wage worker, the salesman, and all others, labor more hours per day and pay more for what they buy. As a result the increase to a prosperous population is limited more than it otherwise would be.

We have not and will not for a long time need to study the Malthusian theory with any idea of applying it to restrict the increase of our population. But we should not delay adjusting the social conditions and applying reforms to the way business is done in order to prevent the enormous waste of our material resources and also to prevent the improper employment of our industrial forces. These have been employed in the production of wealth that supplies capitalists with the means for exploiting the people. That is why the overgrowth of New York City has taken place. That is why a few other cities also have overgrown. We should not only have a committee on industrial relations in this House, but, in addition thereto, a permanent national industrial commission should be created. We should invite the cooperation of all the world in the promotion of the common interests of all humanity.

Mr. MANN. Mr. Speaker, under the leave which the House granted to me to extend my remarks in the RECORD, I herewith insert the speech of Senator Root, chairman of the committee to notify President Taft of his renomination by the Republican Party as their candidate for President, and also the speech of President Taft delivered in reply to the notification.

The ceremonies attendant upon the notification took place in the large East Room of the White House to-day and were attended by many prominent Republicans from throughout the country.

SENATOR ROOT'S SPEECH OF NOTIFICATION.

Senator Root said:

"Mr. President, the committee of notification here present has the honor to advise you formally that on the 22d day of June last you were regularly and duly nominated by the national convention of the Republican Party to be the Republican candidate for President for the term beginning March 4, 1913.

"For the second time in the history of the Republican Party a part of the delegates have refused to be bound by the action of the convention. Now, as on the former occasion, the irreconcilable minority declares its intention to support either your Democratic opponent or a third candidate. The reason assigned for this course is dissatisfaction with the decision of certain contests in the making up of the temporary roll of the convention. Those contests were decided by the tribunal upon which the law that has governed the Republican Party for more than 40 years imposed the duty of deciding such contests. So long as those decisions were made honestly and in good faith all persons were bound to accept them as conclusive in the making up of the temporary roll of the convention, and neither in the facts and arguments produced before the national committee, the committee on credentials and the convention itself, nor otherwise, does there appear just ground for impeaching the honesty and good faith of the committee's decisions. Both the making up of the temporary roll and the rights accorded to the persons upon that roll, whose seats were contested, were in accordance with the long-established and unquestioned rules of law governing the party, and founded upon justice and common sense. Your title to the nomination is as clear and unimpeachable as the title of any candidate of any party since political conventions began.

REPRESENTATIVE OF REPUBLICAN PRINCIPLES.

"Your selection has a broader basis than a mere expression of choice between different party leaders representing the same ideas. You have been nominated because you stand preeminently for certain fixed and essential principles which the Republican Party maintains. You believe in preserving the constitutional Government of the United States. You believe in the rule of law rather than the rule of men. You realize that the only safety for nations, as for individuals, is to establish and abide by declared principles of action. You are in sympathy with the great practical rules of right conduct that the American people have set up for their own guidance and self-restraint in the limitations of the Constitution—the limitations upon governmental and official power essential to the preservation of liberty and justice. You know that to sweep away these wise rules of self-restraint would be not progress, but decadence. You know that the great declarations of principle in our Constitution can not be made an effectual guide to conduct in any other way than by judicial judgment upon attempts to violate them; and you maintain the independence, dignity, and authority of the courts of the United States. You are for progress along all the lines of national development, but for progress which still preserves the good we already have and holds fast to those essential elements of American institutions which have made our country prosperous and great and free. You represent the spirit of kindly consideration by every American citizen toward all his fellows, respect for the right of adverse opinion, peaceable methods of settling differences—the spirit and the method which make ordered and peaceful self-government possible, as distinguished from intolerance and hatred and violence.

"In respect of all these things our country is threatened from many sides. It is your high privilege to be the standard-bearer for the cause in which you believe; and in that cause of peace and justice and liberty the millions of your countrymen who believe as you do will stand with you, and the great party which was born in the struggle for constitutional freedom will support you."

PRESIDENT TAFT'S SPEECH OF ACCEPTANCE.

"Mr. Root and gentlemen of the notification committee, I accept the nomination which you tender. I do so with profound gratitude to the Republican Party, which has thus honored me twice. I accept it as an approval of what I have

done under its mandate, and as an expression of confidence that in a second administration I will serve the public well. The issue presented to the convention, over which your chairman presided with such a just and even hand, made a crisis in the party's life. A faction sought to force the party to violate a valuable and time-honored national tradition by intrusting the power of the Presidency for more than two terms to one man, and that man one whose recently avowed political views would have committed the party to radical proposals involving dangerous changes in our present constitutional form of representative government and our independent judiciary.

"This occasion is appropriate for the expression of profound gratitude at the victory for the right which was won at Chicago. By that victory the Republican Party was saved for future usefulness. It has been the party through which substantially all the progress and development in our country's history in the last 50 years has been finally effected. It carried the country through the war which saved the Union, and through the greenback and silver crazes to a sound gold basis, which saved the country's honor and credit. It fought the Spanish War and successfully solved the new problems of our island possessions. It met the incidental evils of the enormous trade expansion and extended combinations of capital from 1897 until now by a successful crusade against the attempt of concentrated wealth to control the country's politics and its trade. It enacted regulatory legislation to make the railroads the servants and not the masters of the people. It has enforced the antitrust laws until those who were not content with anything but monopolistic control of various branches of industry are now acquiescent in any plan which shall give them scope for legitimate expansion and assure them immunity from reckless prosecution.

"The Republican Party has been alive to the modern change in the view of the duty of government toward the people. Time was when the least government was thought the best, and the policy which left all to the individual, unmolested and unaided by government, was deemed the wisest. Now the duty of government by positive law to further equality of opportunity in respect of the weaker classes in their dealings with the stronger and more powerful is clearly recognized. It is in this direction that real progress toward the greater human happiness is being made. It has been suggested that under our Constitution such tendency to so-called paternalism was impossible. Nothing is further from the fact. The power of the Federal Government to tax and expend for the general welfare has long been exercised, and the admiration one feels for our Constitution is increased when we perceive how readily that instrument lends itself to wider governmental functions in the promotion of the comfort of the people.

"The list of legislative enactments for the uplifting of those of our people suffering a disadvantage in their social and economic relation, enacted by the Republican Party in this and previous administrations, is a long one, and shows the party sensitive to the needs of the people under the new view of governmental responsibility.

"Thus there was the pure-food law and the meat-inspection law to hold those who dealt with the food of millions to a strict accountability for its healthful conditions.

"The frightful loss of life and limb to railway employees in times past has now been greatly reduced by statutes requiring safety appliances and proper inspection, of which two important ones were passed in this administration.

"The dreadful mining disasters in which thousands of miners met their death have led to a Federal mining bureau and generous appropriations to further discovery of methods for reducing explosions and other dangers in mining.

"The statistics as to infant mortality and as to the too early employment of children in factories have prompted the creation of a children's bureau, by which the whole public can be made aware of actual conditions in the States and the best methods of reforming them for the saving and betterment of the coming generation.

"The passage of time has brought the burdens and helplessness of old age to many of those veterans of the Civil War who exposed their lives in the supreme struggle to save the Nation, and recognizing this, Congress has added to previous provision which patriotic gratitude had prompted a substantial allowance, which may be properly characterized as an old man's pension.

"By the white-slave act we have sought to save unfortunates from their own degradation, and have forbidden the use of interstate commerce in promoting vice.

"In the making of the contract of employment between a railway employee and the company the two do not stand on an equality, and the terms of the contract which the common law

implied were unfair to the employee. Congress, in the exercise of its control over interstate commerce, has re-formed the contract to be implied and has made it more favorable to the employee. Indeed, a more radical bill, which I fully approve, has passed the Senate and is now pending in the House which requires interstate railways, in effect, to insure the lives of their employees and to make provision for prompt settlement of the amount due under the law after death or injury has occurred.

"By the railroad legislation of this administration shippers have been placed much nearer an equality with the railroads whose lines they use than ever before. Rates can not be increased except after the Interstate Commerce Commission shall hold the increase reasonable. Orders against railways which under previous acts might be stayed by judicial injunction that involved a delay of two years can now be examined and finally passed on by the Commerce Court in about six months. Patrons of express, telegraph, and telephone companies may now secure reasonable rates by complaint to the commission.

"Many millions are spent annually by the Department of Agriculture to investigate the best methods of treating the soil, carrying on agriculture, and publishing the results. We are now looking into the question of the best system for securing such credit for the farmer at reasonable rates as will enable him better to equip his farm and to follow the rules of good farming, which we must encourage. Our platform, I am glad to say, specifies this as a reform to which the party is pledged. The necessity for stimulating greater production of foodstuffs per acre becomes imperative as the vacant lands available for the extension of acreage are filling up and the supply of foodstuffs as compared with the demand is growing less each year.

"Congress has sought to encourage the movement toward eight hours a day for all manual labor by the recent enactment of a new law on the subject more stringent in its provisions regarding works on Government contracts.

"One of the great defects in our present system of government is the delay and expense of litigation, which of course works against the poor litigant. The Supreme Court is now engaged in a revision of the equity rules to minimize delay and expense as to half our Federal litigation. The workmen's compensation act will relieve our courts of law of a very heavy part of the present dockets on the law side of the court and give the court more opportunity to speed the remaining causes. The last Congress codified the Federal court provisions, and we may look for, and should insist upon, a reform in the law procedure so as to promote dispatch of business and reduction in costs.

"We have adopted in this administration, after very considerable opposition, the postal savings banks, which work directly in the promotion of thrift among the people. By reason of the payment of only 2 per cent interest on deposits they do not compete with the savings banks. But they do attract those who fear banks and are unwilling to trust their funds except to a governmental agency. Experience, however, leads depositors to a knowledge of the importance of interest, and then seeking a higher rate they transfer their accounts to the savings banks. In this way the savings-bank deposits, instead of being reduced, are increased, and there is thus available a much larger fund for general investment.

"For some years the administration has been recommending the parcel post, and now I am glad to say a measure will probably be adopted by Congress authorizing the Government to avail itself of the existing machinery of the Post Office Department to carry parcels at a reasonably low rate, so that the communication between the city and the country in ordinary merchandise will be proportionately as low priced and as prompt as the newspaper and letter delivery through the post offices now. This must contribute greatly to reducing the cost and increasing the comfort of living.

"We are considering the changing needs of the people in the disposition of our public lands and their conservation. As those lands owned by the Government and useful for agricultural purposes which remain are as a whole less desirable as homesteads than those which have been already settled, it has been properly thought wise to reduce the time for perfecting a homestead claim from five years to three, and this whether on land within the rain area or in those arid tracts within the reclamation districts.

"Again, a bill has passed the Senate and is likely to pass the House which will not compel the settlers on reclamation lands to wait 10 years and until full payment of what they owe the Government before they receive a title, but which gives a title after three years with a first Government lien.

"On the other hand, the withdrawal of coal lands, phosphate lands, and oil lands and water-power sites is still maintained

until Congress shall provide, on the principles of proper conservation, a system of disposition which will attract capital on the one hand and retain sufficient control by the Government on the other to prevent the evil of concentrating absolute ownership in a few persons of those sources for the production of necessities.

"POPULAR UNREST."

"In the work of rousing the people to the danger that threatened our civilization from the abuses of concentrated wealth and the power it was likely to exercise, the public imagination was wrought upon and a reign of sensational journalism and unjust and unprincipled muckraking has followed, in which much injustice has been done to honest men. Demagogues have seized the opportunity further to inflame the public mind and have sought to turn the peculiar conditions to their advantage.

"We are living in an age in which by exaggeration of the defects of our present condition, by false charges of responsibility for it against individuals and classes, by holding up to the feverish imagination of the less fortunate and the discontented the possibilities of a millennium, a condition of popular unrest has been produced. New parties are being formed, with the avowed purpose of satisfying this unrest by promising a panacea. In so far as inequality of condition can be lessened and equality of opportunity can be promoted by improvement of our educational system, the betterment of the laws to insure the quick administration of justice, and by the prevention of the acquisition of privilege without just compensation, in so far as the adoption of the legislation above recited and laws of a similar character may aid the less fortunate in their struggle with the hardships of life, all are in sympathy with a continued effort to remedy injustice and to aid the weak, and I venture to say that there is no national administration in which more real steps of such progress have been taken than in the present one. But in so far as the propaganda for the satisfaction of unrest involves the promise of a millennium, a condition in which the rich are to be made reasonably poor and the poor reasonably rich by law, we are chasing a phantom; we are holding out to those whose unrest we fear a prospect and a dream, a vision of the impossible.

"In the ultimate analysis, I fear, the equal opportunity which is sought by many of those who proclaim the coming of so-called social justice involves a forced division of property, and that means socialism. In the abuses of the last two decades it is true that ill-gotten wealth has been concentrated in some undeserving hands, and if it were possible to redistribute it on any equitable principle to those from whom it was taken without adequate or proper compensation, it would be a good result to bring about. But this is obviously impossible and impracticable. All that can be done is to treat this as one incidental evil of a great expansive movement in the material progress of the world and to make sure that there will be no recurrence of such evil. In this regard we have made great progress and reform, as in respect to secret rebates in railways, the improper conferring of public franchises, and the immunity of monopolizing trusts and combinations. The misfortunes of ordinary business, the division of the estates of wealthy men at their death, the chance of speculation which undue good fortune seems often to stimulate, operating as causes through a generation, will do much to divide up such large fortunes. It is far better to await the diminution of this evil by natural causes than to attempt what would soon take on the aspect of confiscation or to abolish the principle and institution of private property and to change to socialism. Socialism involves the taking away of the motive for acquisition, saving, energy, and enterprise, and a futile attempt by committees to apportion the rewards due for productive labor. It means stagnation and retrogression. It destroys the mainspring of human action that has carried the world on and upward for 2,000 years.

"I do not say that the two gentlemen who now lead, one the Democratic Party and the other the former Republicans who have left their party, in their attacks upon existing conditions, and in their attempt to satisfy the popular unrest by promises of remedies, are consciously embracing socialism. The truth is that they do not offer any definite legislation or policy by which the happy conditions they promise are to be brought about; but if their promises mean anything, they lead directly toward the appropriation of what belongs to one man to another. The truth is, my friends, both those who have left the Republican Party under the inspiration of their present leader, and our old opponents, the Democrats, under their candidate, are going in a direction they do not definitely know, toward an end they can not definitely describe, with but one chief and clear object, and that is of acquiring power for their party by popular support through the promise of a change for the better. What they clamor for is a change. They ask for a change in Government

so that the Government may be restored to the people, as if this had not been a people's Government since the beginning of the Constitution. I have the fullest sympathy with every reform in governmental and election machinery which shall facilitate the expression of the popular will, as the short ballot and the reduction in the number of elective offices to make it possible. But these gentlemen propose to reform the Government, whose present defects, if any, are due to the failure of the people to devote as much time as is necessary to their political duties, by requiring a political activity by the people three times that which thus far the people have been willing to assume; and thus their remedies, instead of exciting the people to further interest and activity in the Government, will tire them into such an indifference as still further to remand control of public affairs to a minority.

"But after we have changed all the governmental machinery so as to permit instantaneous expression of the people in constitutional amendments, in statutes, and in recall of public agents, what then? Votes are not bread, constitutional amendments are not work, referendums do not pay rent or furnish houses, recalls do not furnish clothing, initiatives do not supply employment or relieve inequalities of condition or of opportunity. We still ought to have set before us the definite plans to bring on complete equality of opportunity and to abolish hardship and evil for humanity. We listen for them in vain.

"Instead of giving us the benefit of any specific remedies for the hardships and evils of society they point out, they follow their urgent appeals for closer association of the people in legislation by an attempt to cultivate the hostility of the people to the courts and to represent them as in some form upholding injustice and obstructing the popular will. Attempts are made to take away all those safeguards for maintaining the independence of the judiciary which are so carefully framed in our Constitution. These attempts find expression in the policy, on the one hand, of the recall of judges, a system under which a judge whose decision in one case may temporarily displease the electorate is to be deprived at once of his office by a popular vote, a pernicious system embodied in the Arizona constitution and which the Democrats of the House and Senate refused to condemn as the initial policy of a new State. The same spirit manifested itself in the vote by Democratic Senators on the proposition, first, to abolish the Commerce Court, and, second, to abolish judges by mere act of repeal, although under the Constitution their terms are for life, on no ground except that they did not like some of the court's recent decisions. Another form of hostility to the judiciary is shown in the grotesque proposition by the leader of former Republicans who have left their party, for a recall of decisions, so that a decision on a point of constitutional law, having been rendered by the highest court capable of rendering it, shall then be submitted to popular vote to determine whether it ought to be sustained. Again, the Democratic Party in Congress and convention shows its desire to weaken the courts by forbidding the use of the writ of injunction to protect a lawful business against the destructive effect of a secondary boycott and by interposing a jury in contempt proceedings brought to enforce the court's order and decrees. These provisions are really class legislation designed to secure immunity for lawlessness in labor disputes on the part of the laborers, but operating much more widely to paralyze the arm of the court in cases which do not involve labor disputes at all. The hostility to the judiciary and the measures to take away its power and its independence constitute the chief definite policy that can be fairly attributed to that class of statesmen and reformers whose control the Republican Party escaped at Chicago and to whom the Democratic Party yielded at Baltimore.

"The Republican Party stands for none of these innovations. It refuses to make changes simply for the purpose of making a change, and cultivating popular hope that in the change something beneficial, undefined, will take place. It does not believe that human nature has changed. It still believes it is possible in this world that the fruits of energy, courage, enterprise, attention to duty, hard work, thrift, providence, restraint of appetite and of passions will continue to have their reward under our present system, and that laziness, lack of attention, lack of industry, the yielding to appetite and passion, carelessness, dishonesty, and disloyalty will ultimately find their own punishment in the world here. We do not deny that there are exceptions, and that seeming fortune follows wickedness and misfortune virtue, but, on the whole, we are optimists and believe that the rule is the other way. We do not know any way to avoid human injustice except to perfect our laws for administering justice, to develop the morality of the individual, to give direct supervision and aid to those who are, or are likely to be, oppressed, and to give as full scope as possible to individual

efforts and its rewards. Wherever we can see that a statute which does not deprive any person or class of what is his is going to help many people, we are in favor of it. We favor the greatest good to the greatest number, but we do not believe that this can be accomplished by minimizing the rewards of individual effort, or by infringing or destroying the right of property, which, next to the right of liberty, has been and is the greatest civilizing institution in history. In other words, the Republican Party believes in progress along the lines upon which we have attained progress already. We do not believe that we can reach a millennium by a sudden change in all our existing institutions. We believe that we have made progress from the beginning until now, and that the progress is to continue into the far future; that it is reasonable progress that experience has shown to be really useful and helpful, and from which there is no reaction to something worse.

"The Republican Party stands for the Constitution as it is, with such amendments adopted according to its provisions as new conditions thoroughly understood may require. We believe that it has stood the test of time, and that there have been disclosed really no serious defects in its operation.

"It is said this is not an issue in the campaign. It seems to me it is the supreme issue. The Democratic Party and the former Republicans who have left their party are neither of them to be trusted on this subject, as I have shown. The Republican Party is the nucleus of that public opinion which favors constant progress and development along safe and sane lines and under the Constitution as we have had it for more than 100 years, and which believes in the maintenance of an independent judiciary as the keystone of our liberties and the balance wheel by which the whole governmental machinery is kept within the original plan.

"WHAT THE ADMINISTRATION HAS DONE.

"The normal and logical question which ought to be asked and answered in determining whether an administration should be continued in power is, How has the Government been administered? Has it been economical and efficient? Has it aided or obstructed business prosperity? Has it made for progress in bettering the condition of the people and especially of the wage earner? Ought its general policies to approve themselves to the people?

"During this administration we have given special attention to the machinery of government with a view to increasing its efficiency and reducing its cost. For 20 years there has been a continuous expansion in every direction of the governmental functions and a necessary increase in the civil and military servants by which these functions are performed. The expenditures of the Government have normally increased from year to year on an average of nearly 4 per cent. There never has been a systematic investigation and reorganization of this governmental structure with a view to eliminating duplications, to uniting bureaus where union is possible and more effective, and to making the whole organization more compact and its parts more closely coordinated. As a beginning, we examined closely the estimates. These, unless watched, grow from year to year under the natural tendency of the bureau chiefs. The first estimates which were presented to us we cut some \$50,000,000, and this policy we have maintained through the administration and have prevented the normal annual increase in Government expenditures, so the result is that the deficit of \$58,735,000, which we found on the 1st of July, 1909, was changed on the 1st of July, 1910, by increase of the revenues under the Payne law, including the corporation tax, to a surplus of \$15,806,000; on July 1, 1911, to a surplus of \$47,234,000; and on July 1, 1912, to a surplus of \$36,336,000. The expenditures for 1909 were \$662,324,000; for 1910, \$659,705,000; for 1911, \$654,138,000; and for 1912, \$654,804,000. These figures of surplus and expenditure do not include any receipts or expenditures on account of the Panama Canal.

"I secured an appropriation for the appointment of an Economy and Efficiency Commission, consisting of the ablest experts in the country, and they have been working for two years on the question of how the Government departments may be reorganized and what changes can be made with a view to giving them greater effectiveness for governmental purposes on the one hand and securing this at considerably less cost on the other. I have transmitted to Congress from time to time the recommendations of this commission, and while they can not all be adopted at one session, and while their recommendations have not been rounded and complete because of the necessity for taking greater time, I think that the Democratic Appropriations Committee of the House has become convinced that we are on the right road and that substantial reform may be effected through the adoption of most of the plans recommended by this commission.

"PANAMA CANAL.

"For the benefit of our own people and of the world we have carried on the work of the Panama Canal so that we can now look forward with confidence to its completion within 18 months. The work has been a remarkable one, and has involved the expenditure of \$30,000,000 to \$40,000,000 annually for a series of years, and yet it has been attended with no scandal, and with a development of such engineering and medical skill and ingenuity as to command the admiration of the world and to bring the highest credit to our Corps of Army Engineers and our Army Medical Corps.

"FOREIGN RELATIONS.

"In our foreign relations we have maintained peace everywhere and sought to promote its continuance and permanence.

"We have renewed the Japanese treaty for 12 more years and have avoided certain difficulties that were supposed to be insuperable as between the two countries by an arrangement which satisfies both.

"We negotiated certain broad treaties for the promotion of universal arbitration which, if they had been ratified, would have greatly contributed toward perfecting machinery for securing general peace. The Democratic minority of the Senate withheld the necessary two-thirds vote, and amended the treaties in such a way as to make it doubtful whether they are worth preserving.

"In China we have exercised a beneficial influence as one of the powers interested in aiding that great country in its forward movement and in its effort to establish and maintain popular government. In order that our influence might be useful, we have acted with the other great powers and have exercised our influence effectively toward the strengthening of the popular movement and giving the Republic governmental stability. We have lent our good offices in the negotiation of a loan essential to the continuance of the Republic and which we hope that China will accept under such conditions of supervision as are adequate to the security of the lenders and at the same time will be of great assistance to those in whose behalf the loan is made, the people of China.

"Our Mexican neighbor on the south has been disturbed by two revolutions, and these have necessarily brought a strain upon our relations because of the losses sustained by American citizens, both in property and in life, due to the lawlessness which could not be prevented under conditions of civil war. The pressure for intervention at times has been great, and grounds upon which, it is said, we might have intervened have been urged upon us, but this administration has been conscious that one hostile step in intervention and the passing of the border by one regiment of troops would mean war with Mexico, the expenditure of hundreds of millions of dollars, the loss of thousands of lives in the tranquillization of that country, with all the subsequent problems that would arise as to its disposition after we found ourselves in complete armed possession.

"In order to avoid the plain consequences, it seemed the course of patriotism and of wisdom to subject ourselves and our citizens to some degree of suffering and inconvenience and to pass over with a strong protest and a claim for damages even those injuries inflicted on our peaceful citizens in our own territory along the border by flying bullets in engagements between the governmental and the revolutionary forces on the Mexican side. It is easy to arouse popular indignation over an instance of this character. It is easy to take advantage of it for the purpose of justifying aggressive action, and it is easy to cultivate political support and popularity by a warlike and truculent policy, but with the familiarity that we have had in the carrying on of such a war in the Philippines and in Cuba, no one with a sense of responsibility to the American people would involve them in the almost unending burden and thankless task of enforcing peace upon these 15,000,000 of people fighting among themselves when they would necessarily all turn against us at the first manifestation of our purpose to intervene. I am very sure that the course of self-restraint the administration has pursued in respect to Mexico will vindicate itself in the pages of history.

"I am hopeful that the present Government is now rapidly subduing the insurrection, and that we may look for tranquillity near at hand. The demonstration of force which I felt compelled to make in the early part of the disturbance, by the mobilization of some 15,000 or 20,000 troops in Texas, and holding maneuvers there, had a good and direct effect and, as our ambassador and consuls report, secured much increased respect for American and other foreign property in the disturbances that followed. Similar questions have arisen in Cuba, but we have been able to avoid intervention and to aid and encourage that young Republic by suggestion and advice.

"I am glad to believe that we have had more peace in the Central American Republics because of our attention to their needs and our activity in mediating between them than ever before in the history of those Republics.

"THE NAVY.

"The dignity and effectiveness of the Government of the United States, together with its responsibility for the protection of Hawaii, Porto Rico, Alaska, Panama, and the Philippines, as well as for the upholding of the Monroe doctrine, require the maintenance of an Army and a Navy. We can not properly reduce either below its present effective size. The plan for the maintenance of the Navy in proportion to the growth of other navies of the world calls for the construction of two new battleships each year. The Republican Party has felt the responsibility and voted the ships. The Democratic Party, in House caucus, repudiates any obligation to meet this national need.

"THE PHILIPPINES.

"The Philippines have had popular government and much prosperity during this administration in view of the free trade which they have enjoyed under the Payne bill. The continuance of the same policy with respect to the Philippines will make the prosperity of those islands greater and greater and will gradually fit their people for self-government, and nothing will prevent such results except the ill-advised policy proposed by the Democratic Party of holding before the Philippine people independence as a prospect of the immediate future.

"OUR FOREIGN TRADE.

"During this administration everything possible has been done to increase our foreign trade, and under the Payne bill the maximum and minimum clause furnished the opportunity for insisting upon the removal by foreign countries of discriminations in that trade, so that the statistics show that our exports and imports reached for the year ending July 1, 1912, a higher figure than ever before in the history of the country. Our imports for the last fiscal year, ending July 1, 1912, amounted to \$1,653,426,174 and our exports to \$2,049,320,199, or a total of \$3,857,648,262. If there were added to this the business done with Porto Rico, Hawaii, and the Philippines, the sum total of our foreign trade would considerably exceed \$4,000,000,000. The excess of our exports over imports is \$550,795,914. Manufactures exported during the year 1912 exceed \$1,000,000,000 and surpass the previous record. These figures seem to show that the business is large enough to produce prosperity, and the fact is that it has done so.

"PROTECTIVE TARIFF.

"The platform of 1908 promised, on behalf of the Republican Party, to do certain things. One was that the tariff would be revised at an extra session. An extra session was called and the tariff was revised. The platform did not say in specific words that the revision would be generally downward, but I construed it to mean that. During the pendency of the bill and after it was passed it was subjected to the most vicious misrepresentation. It was said to be a bill to increase the tariff rather than to reduce it. The law has been in force now since August, 1909, a period of about 35 months. We are able to judge from its operation how far the statement is true that it did reduce duties.

"It has vindicated itself. Under its operation, prosperity has been gradually restored since the panic of 1907. There have been no disastrous failures and no disastrous strikes. The percentage of reduction below the Dingley bill is shown in the larger free list and in the lower percentage of the tariff collected on the total value of the goods imported. The figures show that under the Dingley bill, which was in force 144 months, the average per cent of the imports that came in free was in value 44.3 per cent of the total importations, and that under the Payne bill, which has been in force 35 months, the average per cent in value of the imports which have come in free amounts to 51.2 per cent of the total; that the average ad valorem of the duties on dutiable goods under the 12 years of the Dingley bill was 45.8 per cent, while under the 35 months of the Payne bill this was 41.2 per cent, and that the average ad valorem of duties on all the imports under the Dingley bill was 25.5 per cent, while under the Payne bill it was 20.1 per cent. In other words, considering only reductions on dutiable goods, the reduction in duties from the Dingley bill to the Payne bill was 10 per cent, and considering reductions on all imports, it amounted to 21 per cent.

"Under the provisions of the Payne bill I was able to appoint a Tariff Board to make investigations into each schedule with a view to determining the cost of production here and the cost of production abroad of the articles named in the schedule, in order to enable Congress in adjusting this schedule to know what rate of duty was necessary to prevent a destructive com-

petition from European countries and the closing up of our mills and other sources of production. We are living on an economic basis established on principles of protection. A large part of our products are dependent for existence upon a rate of duty sufficient to save the producer from foreign competition which would make the continuance of his business impossible. In the making of the Payne bill Congress did not have the advantage of the report of the Tariff Board showing the exact facts. If it had, the bill would have been constructed on a better basis, but we now have had the Tariff Board working and it has made a report on the production of wool and the manufacture of woollens in this country and abroad, and has compiled and made public similar data as to the manufacture of cotton goods. If the Republican Party had control of the House of Representatives, there would be no difficulty now in passing a woolen bill like those which have been presented by the Republicans in both houses of Congress reducing the duty on wool and on woollens to such a degree as not to include more than enough to enable the grower of wool and the woolen industry to live and produce a reasonable profit. The same thing could be done with respect to the cotton industry. On the other hand, our opponents, the Democrats, presented to me for my signature a woolen bill and a cotton bill both of which if allowed to become laws, as the reports of the Tariff Board show, would have made such a radical cut in the rates on many woolen and cotton manufactures as seriously to interfere with these industries in this country. This would have forced a transfer of the manufacture to England and Germany and other foreign countries.

"THE RESULT OF DEMOCRATIC SUCCESS.

"If the result of the election were to put the Democrats completely in control of all branches of the Government, then we should look for the reduction of duties upon all those articles which need protection, and may anticipate a serious injury to a large part of our manufacturing industry. We would not have to wait for actual legislation on this subject; the very prospect of Democratic success when its policy toward our great protected industries became understood would postpone indefinitely the coming of prosperity and tend to give us a recurrence of the hard times that we had between 1890 and 1897. The Democratic platform declares protection to be unconstitutional, although it has been the motive and purpose of most tariff bills since 1789, and thus indicates as clearly as possible the intention to depart from a protective policy at once. It is true the Democratic platform says that the change to the policy of a revenue tariff is to be made in such a way as not to injure industry. This is utterly impossible when we are on a protective basis; and it is conclusively shown to be so by the necessary effect of bills already introduced and passed by the Democratic House for the purpose of making strides toward a revenue tariff. It is now more than 15 years since the people of this country have had an experience in such a change as that which the coming in of the Democratic Party would involve. It ought to be brought home to the people as clearly as possible that a change of economic policy such as that which is deliberately proposed in the Democratic platform would halt many of our manufacturing enterprises and throw many wage earners out of employment, would injure much the home markets which the farmers now enjoy for their products, and produce a condition of suffering among the people that no reforming legislation could neutralize or mitigate.

"THE HIGH COST OF LIVING AND THE PAYNE LAW.

"The statement has been widely circulated and has received considerable support from political opponents that the tariff act of 1909 is a chief factor in the high cost of living. This is not true. A careful investigation will show that the phenomenon of increased prices and cost of living is world-wide in its extent and quite as much in evidence in other countries of advanced civilization and progressive tendencies as in our own. Bitter complaints of the burden of increased prices and cost of living have been made not only in this country and Europe, but also in countries of Asia and Africa. Disorder and even riots have occurred in several European cities because of the unprecedented cost of food products. In our own country changes have been manifested without regard to lower or higher duties in the tariff act of 1909. Indeed, the most notable increase in prices has been in the case of products where no duties are imposed, and in some instances in which they were diminished or removed by the recent tariff act.

"It is difficult to understand how any legislation vaguely promised in a political platform can remedy this universal condition. I have recommended the creation of a commission to study this subject and to report upon all possible methods for

alleviating the hardship of which the people complain, but great economic tendencies, notable among which are the practically universal movement from the country to the city and the increased supply of gold have been the most potent factors in causing high prices. These facts every careful student of the situation must admit.

"EFFECT OF EXCESSIVE TARIFF RATES.

"There is one respect in which high tariff rates may make for exorbitant prices. If the rate is higher than the difference between the cost of production here and abroad, then it tempts the manufacturers of this country to secure monopoly of the industry and to increase prices as far as the excessive tariff will permit. The danger may be avoided in two ways: First, by carefully adjusting the tariff on articles needing protection so that the manufacturer secures only enough protection to pay the scale of high wages which obtains and ought to obtain in this country and secure a reasonable profit from the business. This may be done by the continuance of the Tariff Board's investigation into the facts, which will enable Congress and the people to know what the tariff as to each schedule ought to be. The American public may rest assured that should the Republican Party be restored to power in all legislative branches all the schedules in the present tariff of which complaint is made will be subjected to investigation and report without delay by a competent and impartial Tariff Board and to the reduction or change which may be necessary to square the rates with the facts.

"The other method of avoiding danger of excessive prices from excessive duties is to enforce the antitrust laws against those who combine to take advantage of the excessive tariff rates. This brings me to the discussion of the Sherman Act.

"ANTITRUST LAW.

"The antitrust law was passed to provide against the organization and maintenance of combinations for the manufacture and sale of commodities, which through restraint of trade, either by contract and agreement or by various methods of unfair competition, should suppress competition, establish monopoly, and control prices. The measure has been on the statute book since 1890, and many times under construction by the courts, but not until the litigation against the Standard Oil Co. and against the American Tobacco Co. reached the Supreme Court did the statute receive an authoritative construction which is workable and intelligible.

"NEW CONSTRUCTIVE LEGISLATION.

"It would aid the business public if specific acts of unfair trade which characterize the establishment of unlawful monopolies should be denounced as misdemeanors for the purpose, first, of making plainer to the public what must be avoided; and, second, for the purpose of punishing such acts by summary procedure without the necessity for the formidable array of witnesses and the lengthy trials essential to establish a general conspiracy under the present act. But there is great need for other constructive legislation of a helpful kind. Combination of capital in great enterprises should be encouraged, if within the law, for everyone must recognize that progress in modern business is by effective combination of the means of production to the point of greatest economy. It should be our purpose, therefore, to put large interstate business enterprises acting within the law on a basis of security by offering them a Federal corporation law under which they may voluntarily incorporate. Such an act is not an easy one to draw in detail, but its general outlines are clearly defined by the two objects of such a law. One is to secure for the public, through competent Government agency, such a close supervision and regulation of the business transactions of the corporation as to preclude a violation of the antitrust and other laws to which the business of the corporation must square, and the other is to furnish to business, thus incorporated and lawfully conducted, the protection and security which it must enjoy under such a Federal charter. With the faculties conferred by such a charter, corporations could do business in all the States without complying with conflicting exactions of State legislatures, and could be sure of uniform taxation—that is, uniform with that imposed by the State on State corporations in the same business.

"OPPOSED TO PROPOSED DRASTIC AMENDMENTS.

"I am not in sympathy with the purpose to make the antitrust law more drastic by such a provision as is proposed by the Democratic majority of the investigating committee of the House for imposing a rule as to burden of proof upon defendants under antitrust prosecutions different from that which defendants in other prosecutions enjoy. This can not be suggested by any difficulty found in proving to the courts the illegality of such combinations when the illegality exists. I challenge the production of a single record in any case in which an objectionable combination has escaped a decree against it

because of any favorable rule as to the burden of proof. It is true that many defendants in criminal cases have escaped by a failure of the jury to convict, but that arises from the reluctance and refusal of jurors to find verdicts upon which men are likely to be sent to the penitentiary for pursuing a course in business competition which the ordinary man did not regard as immoral or criminal before the passage of the act.

"CONSISTENT COURSE IN PROSECUTION OF THE LAW.

"I think I may affirm without contradiction that the prosecution of all persons reported to the Department of Justice to have violated the antitrust law has been carried on in this administration without fear or favor, and that everyone who has violated it, no matter how prominent or how great his influence, has been brought before the bar of the court either in civil or criminal suit to answer the charge.

"It is the custom of those who find it to their political interest to do so to sneer at, as innocuous, the decrees against the American Tobacco Co. and against the Standard Oil Co., and the administration is condemned in the Democratic platform for consenting to a compromise in the Standard Oil case. There was no compromise. The Standard Oil decree was entered by the circuit court, and then by the Supreme Court, on the prayer of the Government contained in the original bill filed in a previous administration. The decree in the Tobacco case was reached after a full discussion and entered by the circuit court, consisting of four circuit judges, as a proper decree, and the Government refused to appeal from it because it did not feel that it had grounds upon which to base such an appeal. Both decrees are working well. Both decrees have introduced competition, the one into branches of the tobacco business and the other into branches of the oil business. They have not reintroduced ruinous competition, but they have affected certain prices in such a way as to show the presence of real competition. The division of the two trusts by the decrees into several companies was not expected to show immediate radical change in the business. It may take some years to show all the benefits of the dissolution, but the limitations of the decrees in those two cases are so specific as to make altogether impossible a resumption of the old combination against which the decrees were entered. Even if experience shall show the decrees to be inadequate, full opportunity in future litigation will be afforded to supply the defects.

"The contest has been a long one. For years the rule laid down in the statute was ignored and laughed at, but the power of courts of justice pursuing quietly the law and enforcing it whenever opportunity arose has finally convinced the business public that the antitrust law means something, and that the policy of the administration in enforcing it means something. A number of these combinations illegally organized and maintained are now coming forward admitting their illegality and seeking a decree of dissolution, injunction, and settlement. They are quite prepared to square with that policy, provided it be definitely understood that it be impartially enforced and that security shall attend compliance with the law. My belief is that these decrees mark the beginning of a new era in industrial development; that what the great corporations of the country now desire is not what they manifestly did 20 years ago, to wit, to obtain a monopoly in each business, but it is to maintain a large enough plant to secure the greatest economy in production on the one hand and to avoid the danger of the threats of prosecution and disturbance of their business on the other. It will be the work of the highest statesmanship to secure these ends, and the Republican Party if given the power will accomplish it.

"CONCLUSION.

"I have thus outlined, Mr. Root and gentlemen, what I consider to be the chief issues of this campaign. There are others of importance, but time does not permit me to discuss them. In accordance with the usual custom I reserve the opportunity to supplement these remarks in a letter to be addressed to you at a later date, when the alignments of the campaign may require further discussion.

"For the present it is sufficient for me to say that it is greatly in the interest of the people to maintain the solidarity of the Republican Party for future usefulness and to continue it and its policies in control of the destinies of the Nation. I can not think that the American people, after the scrutiny and education of a three months' campaign, during which they will be able to see through the fog of misrepresentation and demagoguery, will fail to recognize that the two great issues which are here presented to them are, first, whether we shall retain, on a sound and permanent basis, our popular constitutional representative form of government, with the independence of the judiciary as necessary to the preservation of those liberties that are the inheritance of centuries, and, second, whether

we shall welcome prosperity which is just at our door by maintaining our present economic business basis and by the encouragement of business expansion and progress through legitimate use of capital.

"I know that in this wide country there are many who call themselves Democrats, who view, with the same aversion that we Republicans do, the radical propositions of change in our form of government that are recklessly advanced to satisfy what is supposed to be popular clamor. They are men who revere the Constitution and the institutions of their Government with all the love and respect that we could possibly have, men who deprecate disturbance in business conditions, and are yearning for that quiet from demagogic agitation which is essential to the enjoyment by the whole people of the great prosperity which the good crops and the present conditions ought to bring to us. To them I appeal, as to all Republicans, to join us in an earnest effort to avert the political and economic revolution and business paralysis which Republican defeat will bring about. Such misfortune will fall most heavily on the wage earner. May we not hope that he will see what his real interest is, will understand the shallowness of attacks upon existing institutions and deceitful promises of undefined benefit by undefined changes?

"May we not hope that the great majority of voters will be able to distinguish between the substance of performance and the fustian of promise; that they may be able to see that those who would deliberately stir up discontent and create hostility toward those who are conducting legitimate business enterprises, and who represent the business progress of the country, are sowing dragons' teeth? Who are the people? They are not alone the unfortunate and the weak; they are the weak and the strong, the poor and the rich, and the many who are neither, the wage earner and the capitalist, the farmer and the professional man, the merchant and the manufacturer, the storekeeper and the clerk, the railroad manager and the employee—they all make up the people and they all contribute to the running of the Government, and they have not any of them given into the hands of anyone the mandate to speak for them as peculiarly the people's representative. Especially does not he represent them who, assuming that the people are only the discontented, would stir them up against the remainder of those whose Government alike this is. In other campaigns before this, the American people have been confused and misled and diverted from the truth and from a clear perception of their welfare by specious appeals to their prejudices and their misunderstanding, but the clarifying effect of a campaign of education, the pricking of the bubbles of demagogic promise which the discussions of a campaign made possible, have brought the people to a clear perception of their own interests and to a rejection of the injurious nostrums that, in the beginning of the campaign, it was then feared, they might embrace and adopt. So may we not expect in the issues which are now before us that the ballots cast in November shall show a prevailing majority in favor of sound progress, great prosperity upon a protective basis, and under true constitutional and representative rule by the people?"

Mr. AUSTIN. Mr. Speaker, I ask leave to insert in the RECORD a letter, which I heartily approve, and trust will be heeded by this House, in reference to pending legislation.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The letter is as follows:

OFFICE OF THE NATIONAL COUNCIL,
DAUGHTERS OF LIBERTY,
Philadelphia, Pa., July 29, 1912.

HON. RICHARD W. AUSTIN,
House of Representatives, Washington, D. C.

DEAR SIR: From reports at hand it is apparent that the Dillingham bill for the restriction of immigration is to be sidetracked as a political expediency.

Let us quote from Mayor Gaynor, of New York:

"You have the hardest police situation in the world to deal with. We have in this city the largest foreign population of any city, and a large number of them are degenerates and criminals. The gambling of the city is almost all in their hands, not to mention other vices and crimes. The published names of everyone connected nearly or remotely with Rosenthal and his murder show them to be of the same class of lawless foreigners to which he belonged."

The Dillingham bill is the result of facts like the above and others equally alarming brought out by the report on immigration.

After being brought face to face with these conditions, whatever latent and slumbering American patriotism there is should be aroused to the manifest necessity of a restriction of such immigration as has been proven beyond any question of doubt undesirable and positively injurious to America, Americans, and American institutions.

Is it possible that the Representatives of the people are beyond any patriotic impulse except so far as political necessities require?

I can not believe that our fair land has no claim upon you that would deter you from rising and insisting, even at this late day, upon the passage of this bill as a matter of protection of every interest that may be termed American. Does this appeal to you as a call to duty?

Yours, respectfully,

W. V. EDKINS,
National Secretary.

Mr. LINDBERGH. Mr. Speaker, there was an Indian question which came up in my district, involving some important propositions, and an attorney made a brief of them and got together some very valuable information, consisting of probably 3,000 or 4,000 words. I ask unanimous consent to print that brief in the RECORD, so as to preserve it.

The SPEAKER pro tempore. The gentleman from Minnesota asks leave to extend his remarks in the RECORD by inserting the matter to which he refers. Is there objection? [After a pause.] The Chair hears none. The gentleman from Colorado [Mr. RUCKER] is recognized for 20 minutes.

Mr. RUCKER of Colorado. Mr. Speaker, I am provoked to say that I am profoundly grateful to the Members of this House for my success in having brought out from the Members' cloak rooms and their other quarters such an immense audience. Of course, it goes without saying, that when I am put down for a speech, even a speech of 20 minutes, we will get an immense audience, and it is a waste of breath and supererogation to say that the two distinguishing features of my speeches are enveloped in the fact that I have always a most attentive audience, and the least results from amendments offered, for not infrequently the Speaker is relieved from counting more than my own vote on my amendments and motions.

Now, I would not arise on this occasion except to discuss one question about the high cost of living, and it rages around the cost of meats. I will not relate in detail a circumstance that occurred a very short time ago, when I took upon my left arm the hand of a beautiful lady and led her to a reception. She was complaining about how much more than formerly her meat cost her when she went down to market. But if one fact has been developed more clearly than any other one thing, it is that the farmer—the producer—is not getting a greater price for his product than he is entitled to.

Now, the gentleman from Minnesota [Mr. LINDBERGH] goes off into a discussion which is, I think, far afield and out of range of the subject, and has no application whatever to the subject of the high cost of living. The fact that somebody builds a railroad or a subway in New York has not, so far as I can see, any relationship in the world to the question of the high cost of living. All these people must be fed whether they are at work on these projects or not. What we have got to determine here is whether the producer is getting more money than he is entitled to for his product.

Now, it happens that I belong to four organizations—the National Wool Growers' Association, the National Stock Growers' Association, the Grangers' Association, and the Farmers' Union.

Mr. LINDBERGH. Mr. Speaker, will the gentleman yield?

The SPEAKER pro tempore. Does the gentleman from Colorado yield?

Mr. RUCKER of Colorado. Certainly.

Mr. LINDBERGH. I want to ask the gentleman a question. Does he consider that the competition is in the production or in the consumption, or in both?

Mr. RUCKER of Colorado. I do not exactly understand the gentleman's question. It is very much involved. I would really like the gentleman to explain his inquiry.

Mr. LINDBERGH. Is it not a question of competition in consumption, just as much as it is in production, that determines the cost of living?

Mr. RUCKER of Colorado. Oh, well, I want to say in answer to that that many, many years ago—more years ago than I would like to mention—I drove cattle from Missouri, swam them across the Missouri River and the Mississippi and the Illinois Rivers, and landed them in the slaughterhouse in Chicago just as fat as they were when we started, and we did not strike a railroad. That illustrates the fact that you are never going to get as cheap meat hereafter as you have had heretofore. Our ranges are being taken up. We have gone almost to the limit of our ranges. It so happened that I have been over to Germany once or twice. How it is that they live and produce their own meat more cheaply than we do here I do not know. Upon the declivities of their mountains they carry back the soil by burro power—carry it back from year to year—and produce their meats cheaper than we do over here. The time is coming in this country when we may have to do the same thing, but that time has not yet come.

Now, I would not have said as much upon this subject as I have but for the speech that was made the other day by the gentleman from New Jersey [Mr. KINKEAD], and I do hope and trust, for the sake of the Democratic Party, that that speech was not censored and approved of by our present nominee for the Presidency. What he means is that we should have free meats from all the world. And there are several gentlemen here, including my friend over there from Texas [Mr. BURLESON], who, strange to say, has a resolution in here asking for free meats from Mexico.

Several gentlemen from Massachusetts and all these men from the great cities, where the stomachs of the inhabitants are craving for cheaper meats, are now falling over each other to have free meats brought into this country, and they base their action upon the ground, Mr. Speaker, that the trusts of this country have got control of the meats, and therefore we should open the markets.

Now, I have not time to read it, but I will put in the RECORD some statements illuminating this question, and particularly applicable to the colloquy I had with the gentleman from New Jersey [Mr. KINKEAD] the other day concerning the American Beef Trust and how that trust has obtained control of the Argentine supply. The American Beef Trust, of course, is now disorganized, and what "disorganization" means I think we will finally, in a year from now, understand, and we will understand that it does not mean anything. But the North American companies have got control of 52 per cent of the Argentine Republic meat supply, and I am going to put that statement in the RECORD. That shows that we are simply taking from one pocket of the trust and putting into the other.

Now, you are not doing that only. That is not the worst of it. It has now already developed that the Meat Trust in this country has got control of the meat product in the Argentine Republic. But, as I say, that is not the worst of it. Every Texas man here, and every man elsewhere from the West, knows that when we hand over to the foreigner the American market, either of meat, beef, mutton, sugar, or wool, we place ourselves, not maybe next year, but the year after that, absolutely in the power of the foreign producer. That is what I have always contended.

Now, Mr. Chairman, in conclusion, and I think possibly my time is up—I think I ought to have been in the Senate. There is where I naturally belong. [Applause.]

Mr. AUSTIN. I would like to say to the gentleman, Mr. Speaker, that if we had the elective power in this House there would be no doubt but that the gentleman would be in the other branch.

Mr. RUCKER of Colorado. I thank the gentleman, but I did not believe I would get a Republican vote for that place.

Mr. AUSTIN. I have just tendered the gentleman mine, although I do not know that it would do any good.

Mr. RUCKER of Colorado. I thank the gentleman. I want to say that I have been kicked out of almost all the Democratic caucuses, but my vote in this House has been sustained by every Democrat in the Senate, and when the bills come back here even the House reversed its votes and joined me.

Mr. STEPHENS of Texas. How would the bull moose gang suit the gentleman?

Mr. RUCKER of Colorado. Well, they sometimes vote all right.

Now, in reference to the sugar proposition, I am talking to this side of the House, because the Republicans are engaged in a purely perfunctory operation this afternoon in notifying Mr. Taft of his defeat at the next election.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

The SPEAKER pro tempore. Does the gentleman from Colorado yield?

Mr. RUCKER of Colorado. Certainly.

Mr. MOORE of Pennsylvania. Before the gentleman leaves the question of beef, will he tell us whether he has made a study—for I question whether the gentleman from New Jersey has—of the quantity of beef that is controlled by the packers of the country as against that quantity that goes into common use which is not controlled by the packers?

Mr. RUCKER of Colorado. I have said I think it is 51 or 52 per cent.

Mr. MOORE of Pennsylvania. Then with reference to the speech of the gentleman from New Jersey, is it not a fact that if the meat which goes abroad, which may be sold at prices lower than those in the United States, is the beef which is sent by the packers, the maintenance of the price of meat in the United States at its present standard is of a decided advantage to the majority of the independent slaughterers of beef, including the butchers who serve the people?

Mr. RUCKER of Colorado. I have an idea that the gentleman from Pennsylvania is right about that.

Mr. MOORE of Pennsylvania. In other words, if the American price is to be maintained, is it not maintained more in the interest of the independent and neighborhood slaughterers than it is in the interest of the packers?

Mr. RUCKER of Colorado. Not answering the gentleman categorically, I want to say that I am a platform Democrat. I do not believe in revising the tariff in spots. I do not believe that this Congress will make anything before the American people by reducing the tariff 35 per cent, and leaving sugar, wool, and meat, and our mining products on the free list; because I

want to say that the votes of one-third of the people of this country ought to be considered in this legislation. In my judgment the Democratic Party is very fortunate with the record it has made here in Congress, that there is a third candidate in the field; because, as I have said, I belong to those four organizations, and they will vote as one man for the fair treatment of the products of the American tiller of the soil. Of course you can take that for what it is worth. In my judgment the Democratic Party here to-day is most fortunate in the fact that there is a third candidate in the field.

As I have said, my votes have stood squarely with the Senate votes. I am going down the line upon those votes.

The day after to-morrow an assembly will be held in the city of Denver which will determine whether I shall come back here, or will at least determine whether I shall be nominated for Congress. I have no apologies to make. I think I have stood with the majority of my party. I have stood upon the platform. The platform of 1908 demanded a gradual reduction of the tariff. It did not mean a gradual reduction of the tariff by putting upon the free list the most important agricultural and other products of the West. [Applause.]

By unanimous consent, Mr. RUCKER of Colorado was given leave to extend his remarks in the RECORD.

APPENDIX.

MEAT PRODUCTION AND EXPORT. PRESENT POSITION AND OUTLOOK.

From the international standpoint the most important and recent development in the meat industry of the Argentine Republic is the entrance and growing ascendancy of North American interests.

Chicago meat companies entered this field only seven years ago, but have already attained such a position that they are a decided, if not a dominating, influence in the progress of the trade and the control of prices. The extent of their interests is only partially known to the public either of Argentina or the United States, but they admittedly hold two of the seven companies engaged in the production and export of cold-storage meat and are believed to have at least a working understanding with several of the others. They have also secured land for the purpose, it is believed, of establishing new plants.

The two avowedly North American enterprises are the La Plata Cold Storage Co. and the La Blanca Co. The former, since coming under its present control, has risen from a state of insignificance to that of the largest single producer in the Argentine field.

A sensation was created by this company at the recent fat-stock show in Buenos Aires by the extraordinary prices paid in order to show breeders what it wanted and encourage them to develop a superior breed of animal. For 5 steers the company gave \$11,500 (about \$5,000 apiece, and for a total of 177 head gave \$310,600 (\$771 each in United States currency). It was estimated that the available beef on the 5 steers that brought top price cost the company about \$5 a pound.

Taken together, the La Plata and the La Blanca companies last year produced a third of Argentina's total output of cold-storage beef and almost as large a proportion of the mutton and lamb. Their rapid expansion is indicated by the fact that jointly they have chartered all the space in 19 new steamships ordered by the Nelson Line for the River Plate fresh-meat trade.

NEW METHODS INTRODUCED.

But most important of all, perhaps, as showing the influence of the American companies in the Argentine is the fact that they are generally credited with having stimulated the industry through the introduction of progressive methods, particularly in the development of chilled beef. Chilled beef—the kind to which United States consumers are accustomed and regarded as superior to frozen beef—has been brought into commercial importance within the last year or more by the North American companies and seems destined to supersede in importance the frozen product. In 1909 the La Plata Cold Storage Co. produced more than twice as much chilled meat as any other company, and, together with the La Blanca Co., marketed more than 50 per cent of the entire output of that article.

The importance of the position of the Chicago companies in the Argentine is that, apparently, it puts the meat industry of the two principal producing countries in the same hands. Argentina is the largest exporter of beef in the world, and, next to New Zealand, the largest shipper of mutton. The Argentine now occupies the place formerly held by the United States as a purveyor of beef to Europe, the increase in the home consumption having cut down our exports in marked degree.

NO FRESH COMPETITION.

Argentina has been looked upon as a competitor of the United States in the beef industry, and has even been considered by some as a possible source of cheaper meat for this country. The present outlook there lends no color to such supposition. Shipments of beef from the River Plate to the United States may come shortly, but they will probably be directed by the same interests which supply the market here, not in opposition to them.

So far as the American packers are concerned, their present operations in the Argentine field have nothing to do with the meat supply of the United States. The immediate object is to obtain supplies, which can no longer be secured at home, for their English market. They have not given up their foreign business, as the diminishing export figures of the United States might lead one to suppose, but have simply transferred their base from the Mississippi Valley to the River Plate.

Argentina's export of frozen and chilled beef has grown up practically in the past 10 years, corresponding to the decline in shipments from the United States. Ten years ago Argentina shipped only 25,000 tons, as against 150,000 sent from this country. Five years later her exports of beef passed ours, and in 1909 they amounted to 210,657 tons, while those of the United States had fallen to 55,746 tons.

SHIPMENTS TO THIS COUNTRY NOT PROBABLE.

Even were it not for the position of the American packers in the Argentine field, there would be no likelihood that United States consumers could secure a meat supply from that quarter at less than prevailing rates, and probably not at such low figures. One reason

for this is that Argentina has an ample market in Europe. For the year 1909 Great Britain took 98 per cent of the exports both of beef and mutton, but this represented only 65 per cent of Great Britain's total imports of beef and 27 per cent of her total imports of mutton.

It is apparent, therefore, that in Great Britain alone the market can be much extended. Moreover, it appears that the continental nations of Europe, which have heretofore used practically no cold-storage beef, are on the point of taking up that product on account of the scarcity of live animals and consequent rising prices. Hence, if the United States wants Argentine meat, it will be necessary to pay for it at European prices.

Added to this, as a further obstacle in the way of supplies from Argentina, is the fact that the cost of living in Argentina is high. This makes the production of beef high in spite of the country's great natural advantages for that industry.

ARGENTINE TRADE NOTES.

[From Consul General R. M. Bartleman, Buenos Aires; monetary figures in American currency.]

COLD-STORAGE PROFITS—COTTON GROWING.

The La Plata Cold-Storage Co. shows profits for the calendar year 1911 of \$636,687.

VESSELS FOR THE MEAT TRADE.

The first of the five new steamers which are being built to the order of the British & Argentine Steam Navigation Co. for the carriage of chilled meat from Argentina to the United Kingdom has arrived in port. The five vessels are each 456 feet in length over all, 59 feet in breadth, and 38 feet in molded depth. They are the largest and fastest steamers yet designed and constructed wholly for the transportation of chilled and frozen meat. Each has an insulated capacity of about 400,000 cubic feet for either chilled or frozen meat and is capable of maintaining a service speed of 15 to 16 knots. In connection with the refrigerating installation there are nearly 50 miles of piping to each vessel, and each has accommodation for about 150,000 carcasses of mutton, or about 9,000,000 pounds of fresh meat.

QUIZZED ON BEEF TRUST—ARGENTINE CHAMBER ASKS AGRICULTURE MINISTER'S VIEW OF AMERICAN PACKERS.

[Special cable to the Washington Post.]

BUENOS AIRES, July 28.

The chamber to-day passed a motion inviting the minister of agriculture to state what he thinks about the interference of the American Beef Trust in the Argentine cattle market, what measures he contemplates in order to prevent the danger such interference may have for breeders and for the people at large by increasing the cost of meat, and to what extent such interference has already gone.

BENEFITED BY BEEF TRUST—STOCK BREEDERS IN ARGENTINA GETTING INCREASED PRICE FOR CATTLE.

[Special cable to the Washington Post.]

BUENOS AIRES, July 31.

There was a lively session of the chamber last night, when the minister of agriculture, Señor Mujica, answered an inquiry about the agitation among the farmers of the Province of Santa Fe. The minister declared the uneasiness of the farmers is not due exclusively to high land rent, but to many other circumstances, such as lack of credit. The Government, therefore, will propose the foundation of a bank of agriculture. Señor Mujica also spoke about the American Beef Trust, and said its activity in Argentina up to the present has been beneficial to stock breeders, as is shown by the increase in the price of cattle.

Mr. AUSTIN. Mr. Speaker, as a Republican I should like to bear testimony to the fidelity of the gentleman from Colorado [Mr. RUCKER]. He has not only been a constant attendant upon his public duties in this House, but at every opportunity he has stood for the interests of the people of Colorado on every question in which their interest was involved in legislation in this House. [Applause.] I am not only glad of an opportunity to state what is justly due him, but I think I reflect the sentiment of the Republican as well as the Democratic side of this House in the hope that the Democracy of Colorado will do itself proud and do justice to his splendid record by renominating him to a seat in this House. [Applause.]

Mr. DONOHUE. Mr. Speaker, the importance of the subject which I am about to discuss will be my excuse for taking the time of the House at this hour. I know of no economic question that so deeply concerns the great body of the people as that relating to the high cost of living. The President of the United States has referred to it in more than one of his recent messages to Congress; commissions have been appointed to investigate it; Senators and Representatives, governors of States, mayors of cities, and public bodies have discussed it from various angles, and yet there is no relief in sight. This year's prices of foodstuffs and other necessities are higher than those of last year, and those of last year were much higher than the prices that obtained five years ago.

I have here two lists showing retail prices that prevailed in Philadelphia in 1896 and in 1911, covering beef, bacon, poultry, lard, butter, eggs, cheese, flour, beans, and apples. These lists show an increase of over 70 per cent in the 15 years.

The report of the Massachusetts commission on the cost of living published in 1910 gives figures showing expenditures for food of 253 normal families in that State. These figures indicate that in 1903 the average amount for food per family was \$370.20, while in 1910 it was \$478.10. The report also shows that rent has increased 12 per cent, fuel 15 per cent, and clothing 20 per cent in the same period.

So high an authority as Bradstreet's states that from 1896 to 1912 the increase in price of foodstuffs has been over 50 per cent.

According to a statement recently issued by the Association for Improving the Condition of the Poor in New York City the cost of many essential table foods, when bought in small quantities, has gone up nearly 25 per cent in the last year. No doubt the increase has been almost as much in Philadelphia, Chicago, Boston, and other large centers of population. I quote from two sample grocery bills which the New York association has submitted:

	January, 1911.	January, 1912.
Bread.....	\$0.08	\$0.08
1 pound butter.....	.16	.20
1 pound tea.....	.10	.10
1 pound coffee.....	.13	.15
2 pounds sugar.....	.12	.14
1 dozen eggs.....	.30	.40
1 can tomatoes.....	.09	.12
Potatoes.....	.10	.20
1 can corn.....	.10	.12
1 pound codfish.....	.10	.12
Oatmeal.....	.10	.10
1 pound beans.....	.06	.06
1 pound rice.....	.05	.05
1 cabbage.....	.05	.08
1 pound cheese.....	.04	.05
Flour.....	.13	.15
1 pound onions.....	.03	.05
Total.....	1.74	2.17

LETTERS FROM WORKINGMEN.

During the past six months I have received many letters touching on this subject from workingmen in the great industrial district of Kensington, Philadelphia, which I have the honor to represent. Here is one dated May 26, 1912, from a man whose weekly wage is \$13.50:

I would esteem it a great favor if you will kindly send me any bulletins that are issued by the Department of Agriculture that will help to reduce the cost of living. I have a wife and four children to keep. You know that our State has laws making it necessary for a child to be 14 years old before it can go to work and be of any assistance to its parents. I will try to show you how much food and other necessities a man can purchase whose wages is \$13.50 per week.

This is our weekly list:

Rent (\$13 per month).....	\$3.00
Coal (average).....	1.00
Shoes (average).....	1.00
Insurance (6 persons).....	.60
Gas for lighting and cooking.....	.50
Flour, 2 bags, at 40 cents.....	.80
Sugar, 6 pounds, at 5½ cents.....	.33
Butter, 2 pounds, at 35 cents.....	.70
Potatoes, 7 quarter pecks, at 15 cents.....	1.05
Lard, 1 pound.....	.13
Milk, 7 pints, at 4 cents.....	.28
Eggs, 1 dozen.....	.28
Tea, one-fourth pound.....	.15
Coffee, 1 pound.....	.25
Soap, 3 cakes, at 5 cents.....	.15
Car fare to and from work, per week.....	.60
Total.....	10.82

These fixed expenses amount to \$10.82 per week. You see there is left the sum of \$2.68 per week, or 38½ cents per day for meats, vegetables, cereals, fish, medical attendance, medicine, and clothing. In addition to these things there must also be purchased, occasionally, household necessities, including cooking utensils, bed clothing, etc.

I do not wish to further impose on your time, but I sincerely hope that something will be done to help the working people. If children are not properly fed when young, how are they expected to make soldiers and sailors in case of war? There is no sense in spending millions for tuberculosis when the root of the evil is overlooked.

WAGES IN PENNSYLVANIA.

Now, let us see whether the rate of wages of the average workingman in Pennsylvania is \$13.50 per week. The Bureau of Industrial Statistics of the Department of Internal Affairs of Pennsylvania, in its thirty-eighth annual report, issued in October, 1911, gives the following as the average wages paid to adult male workers in 10 leading industries of the State:

	Per week.
Boilers, tanks, and vats.....	\$11.46
Boots and shoes.....	9.79
Carpets and rugs.....	10.61
Dyeing and finishing.....	11.15
Foundries.....	10.67
Hosiery.....	10.54
Leather (miscellaneous).....	12.42
Oilcloth.....	11.71
White lead.....	11.94
Woolen goods.....	12.98

This list shows an average of \$11.33 per week for adult male employees. Of course, skilled hands in all these lines receive somewhat more than the amount shown in this list, and unskilled hands receive correspondingly less; but skilled and unskilled have to live and so we must include both in our consideration of this great problem.

From the Pennsylvania statistics which I have quoted, it is plain that the average workingman with a family of, say, four

children under the working age limit has an extremely hard struggle to make ends meet. And what of the man with a larger family or the one who is not steadily employed? Indeed, I fear there is a great deal of suffering that we never hear of.

CAUSES AND REMEDIES.

What, then, is the trouble and what the remedy? That something is wrong is admitted on all sides. Some would have us believe that our trouble is due not so much to the high cost of living as to the cost of high living; while others, who have evidently given the matter much thought, declare that the supply of gold, our standard of value, has increased so much in recent years that its purchasing power has gradually declined, and hence prices of commodities have steadily advanced. Undoubtedly there are some grounds for both these theories, but to the one I would say that high living, which involves expensive luxuries, is not much indulged in by the family whose income is \$11.33 per week; and to the other, that if the increased gold supply has caused vital necessities to rise in price from 50 to 70 per cent in the past 15 years, it should have produced a corresponding advance in wages, the price of labor. [Applause.]

Owing to the beneficent results of the Erdman Act, which tends to settle by conciliation, mediation and arbitration differences between railroad companies and their employees, wages in that line have advanced more than the average in the past 15 years. Figures of the Interstate Commerce Commission show an increase of 25 per cent in railway wages in that time, while, according to Bradstreet's, the prices of food-stuffs have increased more than 50 per cent in the same period. Why this disparity? Some explanation of it may be found in the statement that while the settlement of the recent coal strike involves an increase of wages to the employees amounting to about \$5,000,000 per year, the advance in the price of coal to the consumers will amount to some \$15,000,000. Who gets the extra \$10,000,000? Is it absorbed in the cost of high living, or is it lost in the depreciation of gold, our standard of value?

To my mind there are other and more direct causes than high living and depreciating gold. Our economic malady, it seems to me, is due in large measure to the money power, and the symptoms are manifesting themselves in monopolies, unequal distribution of wealth, and high cost of living. [Applause.]

MONOPOLIES.

The census of 1910 throws some light on land monopoly; how it has discouraged farming, is forcing some farmers into the cities, and driving others to the cheap land of western Canada. In 1900 the average price of unimproved farm land was \$15.57 per acre, while in 1910 it was \$32.49, an increase of 108 per cent. In those 10 years the acreage of improved land increased only 15 per cent, while the population of the whole country increased 21 per cent. In 1900 the rural population was almost 60 per cent of the whole, while in 1910 it was only 53.7 per cent. The great increase in price of farm lands is, therefore, not due to increase in rural population or, as some would have us believe, to increased profitability in farming, but rather to the fact that land speculators have boosted prices, and men of small means who would have bought farms to work on, not to speculate with, have been unable to buy. While we had a large, fertile public domain open to settlers there was an outlet to the unemployed and a defense against monopoly. Now, with the public domain practically gone, the land monopolists have full swing.

Take the case of coal lands. One corporation owns 60,000 acres in the Connellsville region, which is the principal known deposit in the country of coking coal used in steel production. Would-be competitors must therefore get coking coal from that corporation at its terms. Does not this condition tend to make prices high? A former president of the corporation owning those coal lands testified that they were estimated to be worth \$60,000 per acre. It would be interesting to know how those lands are assessed for taxation. If they are assessed at, say, \$48,000 per acre, or 80 per cent of their value, as the poor man's house is assessed, all right; but if they are assessed at \$60 per acre, or one-tenth of 1 per cent of their value, then the laborer, the mechanic, the farmer, the merchant, and the manufacturer are paying much more than their share of the taxes and the big corporation is paying much less than its share. Higher taxes mean lower net incomes to the parties that I have named.

Mr. WILSON of Pennsylvania. Will the gentleman allow an interruption?

Mr. DONOHUE. Yes.

Mr. WILSON of Pennsylvania. In connection with the statistics of the coal lands which the gentleman presents I want

to call his attention to the fact that the same corporation which holds 60,000 acres in the Connellsville coke region owns, all told, approximately 500,000 acres of coal lands in the United States.

Mr. DONOHUE. I understand that what the gentleman has stated is true.

Anthracite coal is selling in Philadelphia at \$7 per ton. As recent as 1900, Thomas P. Fowler, president of the New York & Ontario Railroad and, by virtue of his position, a director in the Temple Iron Co., otherwise known as the Anthracite Coal Trust, declared, "If there were not some form of restriction, stove coal would be a drug in the market at \$2 per ton." What is the restriction? Special privilege; the few who own or control the coal lands will not let the coal be mined unless and until the many are willing to pay the price.

UNEQUAL DISTRIBUTION OF WEALTH.

There surely must be something wrong with our economic system when a few men, less than a score, are in a position to control the money of the country, to extend or withhold credit, to make or destroy enterprises. I understand that the combined wealth of two of these men amounts to more than the assessed value of all the lands and buildings within the limits of Philadelphia, a city of more than a million and a half of people. I do not blame the possessors of those colossal fortunes, but I do find fault with the system under which such unequal distribution of the Nation's wealth is possible. It is not, it can not be, right.

A few years ago a man possessed of \$100,000 was regarded as being in good circumstances. He was in a position to engage in business on a liberal scale, to give employment to a goodly number of persons, and to be a useful member of any community. To-day we have instances of individuals owning as much as several thousand such men. The thought suggests itself whether it would be better for us to have several thousand families in good circumstances, each useful to its particular community, or that the total wealth of all of them should be concentrated in a single family.

The salaries of the President and Vice President of the United States, the Cabinet officers, the Senators, and Members of this House, some 500 persons in all, amount to less than \$6,000,000 per year. This is a large sum, and yet one individual draws two and a half times as much per year from one great trust.

Mr. AUSTIN. Mr. Speaker, will the gentleman from Pennsylvania give us the name of the gentleman and also the name of the corporation?

Mr. DONOHUE. I feel that both are so well known that it is unnecessary to name them here.

Sixty years ago our per capita of wealth was \$307; to-day it is about \$1,300, an increase of over 300 per cent. But while our per capita of wealth has greatly increased the distribution of it has been most unequal. Sixty years ago we had few millionaires and few paupers; to-day we have, unfortunately, too many of both and both are still on the increase.

MONEY POWER.

Some would have us believe that brains and energy and thrift alone are responsible for those vast fortunes and that these qualities, combined with laudable ambition and enterprise, have produced the captains of industry and masters of finance who control our industrial system, our railroad system, and our banking system. While unwilling to accept this argument, I would say that if it be true, then we need some means of protecting ourselves from brain domination; for if it be necessary and advisable to have laws to protect society from strong-armed individuals who might use their strength to oppress the weak, our present condition of unequal distribution of wealth would warrant the enactment of laws to protect us from the strong-brained individuals as well. But if brains and energy are alone responsible for these great fortunes, if the possession of unfair advantages conferred by law have had nothing to do with their making, why do the representatives of the "interests" oppose so strenuously the abolition of special privilege? [Applause.]

OVERCAPITALIZATION.

Overcapitalization of corporations, a feature of big business, imposes additional burdens on the consuming public. The cost of railroad building and equipment in the United States is estimated at from \$20,000 to \$30,000 per mile. But the railroads are capitalized at \$60,000, so that at least half of their capital, or, say, \$9,000,000,000, has only franchise value or "water" back of it. It is apparent that if the capital stock of a railroad or other public utility company be inflated 100 per cent the people must pay higher rates to produce dividends on the increased capital. In line with this thought the following recent

statement by B. F. Yoakum, chairman St. Louis & San Francisco Railroad, is significant:

Last year's agricultural products were worth \$9,000,000,000 to the farmers. The Government used farm values in getting figures for this total. Assuming that the farmers kept one-third of the products for their own use, the consumers paid more than \$13,000,000,000 for what the producers received \$6,000,000,000. The cost of getting the year's products from producers to consumers amounted to the enormous sum of \$7,000,000,000. The real problem to deal with is not high cost of living; it is high cost of selling.

The "high cost of selling" to which Mr. Yoakum alludes can not be charged to the legitimate merchant who directly serves the consumer. The local store is a necessity, and when conducted on individual lines that tend not to monopoly renders a decided service to the community.

The high cost of selling is traceable and must be charged chiefly to monopolies and trusts, overcapitalization and cold storage.

COLD STORAGE.

Properly regulated, cold storage would be a blessing to the people. It is certainly an advantage to be able to preserve perishable foods from the time of their abundance to the time of their scarcity. It should not, however, be used as a means of creating artificial scarcity in vital necessities at times when the warehouses are bursting with foodstuffs. Is there any good reason why butter, eggs, or poultry should be held in cold storage for 15 months, as has been done? There is but one reason, and it is not a good one—to compel the people to pay the high prices. Cold storage run in that way is rather a curse than a blessing. Not only does it mean high prices in the time of natural scarcity, but artificially high prices in time of natural abundance.

WARNINGS OF HISTORY.

If we would take warning from the history of earlier civilizations, we must put an end to special privilege, private monopoly, and all that tends to social inequality. Peerless Greece, great in war, glorious in literature, fell through lack of social harmony. Imperial Rome, unconquerable in the days of her material simplicity and moral soundness, decayed from within and tottered to her pitiable fall when, in the words of HENRY GEORGE, Jr., "public and private morality melted down to almost nothing in the furnace of passions awakened by the despoliation of the masses for the advantage of the few." [Applause.]

The SPEAKER. The three hours agreed to for general debate have expired.

LEAVE OF ABSENCE.

Mr. STEPHENS of Mississippi, by unanimous consent, was given leave of absence for one week from to-day, on account of sickness.

EXTENSION OF APPROPRIATIONS.

Mr. FITZGERALD. Mr. Speaker, by direction of the Committee on Appropriations, I report House joint resolution 344, to continue the appropriation for half of the month of August, and I ask unanimous consent for its present consideration in the House as in Committee of the Whole.

The SPEAKER. The gentleman from New York asks unanimous consent for the present consideration in the House, as in Committee of the Whole, of the joint resolution which the Clerk will read.

The Clerk read as follows:

House joint resolution 344 (H. Rept. 1123).

Joint resolution to continue the provisions of a joint resolution approved July 1, 1912, entitled "Joint resolution extending appropriations for the necessary operations of the Government under certain contingencies."

Resolved, etc., That the provisions of a joint resolution entitled "Joint resolution extending appropriations for the necessary operations of the Government under certain contingencies," approved July 1, 1912, be, and the same are, extended and continued in full force and effect for and during the first half of the month of August, 1912.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed without amendment joint resolution of the following title:

H. J. Res. 344. Joint resolution to continue the provisions of a joint resolution approved July 1, 1912, entitled "Joint resolution extending appropriations for the necessary operations of the Government under certain contingencies."

The message also announced that the Senate had insisted upon its amendment to the bill (H. R. 22195) to reduce the duties on wool and manufactures of wool, disagreed to by the

House of Representatives, had asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. LA FOLLETTE, Mr. BAILEY, and Mr. SIMMONS as conferees on the part of the Senate.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 21214) to extend the special excise tax now levied with respect to doing business by corporations to persons and to provide revenue for the Government by levying a special excise tax with respect to doing business by individuals and copartnerships, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. BAILEY, Mr. SIMMONS, and Mr. LA FOLLETTE as the conferees on the part of the Senate.

The message also announced that the Senate had insisted upon its amendment to the bill (H. R. 21213) to amend an act entitled "An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes," approved August 5, 1909, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. PENROSE, Mr. LODGE, Mr. BRISTOW, Mr. BAILEY, and Mr. SIMMONS as the conferees on the part of the Senate.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to the bill (S. 5309) to amend section 3 of the act of Congress approved May 14, 1880 (21 Stat. L., p. 140).

ENROLLED BILLS SIGNED.

Mr. CRAVENS, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled joint resolution of the following title, when the Speaker signed the same:

H. J. Res. 344. House joint resolution to continue the provisions of a joint resolution approved July 1, 1912, entitled "Joint resolution extending appropriations for the necessary operation of the Government under certain contingencies."

The SPEAKER announced his signature to enrolled bill of the following title:

S. 5309. An act to amend section 3 of the act of Congress approved May 14, 1880 (21 Stat. L., p. 140).

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. CRAVENS, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following joint resolution:

H. J. Res. 344. House joint resolution to continue the provisions of a joint resolution approved July 1, 1912, entitled "Joint resolution extending appropriations for the necessary operations of the Government under certain contingencies."

SUNDRY CIVIL APPROPRIATION BILL.

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 25069, the sundry civil appropriation bill, disagree to the Senate amendments, and ask for a conference.

The SPEAKER. The gentleman from New York asks unanimous consent to take from the Speaker's table the bill H. R. 25069, the sundry civil appropriation bill, disagree to the Senate amendments, and ask for a conference. Is there objection?

Mr. MANN. Reserving the right to object, Mr. Speaker, I wish the gentleman from New York would ask unanimous consent to take from the Speaker's table the bill and to consider the Senate amendments in the House as in Committee of the Whole. I desire a separate vote on three amendments.

Mr. FITZGERALD. Can we not dispose of the other amendments first?

Mr. MANN. I have no objection.

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent to take the bill from the Speaker's table and consider the Senate amendments in the House as in Committee of the Whole.

The SPEAKER. The gentleman asks unanimous consent to take from the Speaker's table the bill mentioned and consider the amendments in the House as in Committee of the Whole. Is there objection?

Mr. RUCKER of Colorado. Reserving the right to object, Mr. Speaker, I would like to ask the gentleman if the last section of the bill has been passed?

Mr. FITZGERALD. The gentleman from Colorado has in mind the general deficiency bill. This is the sundry civil bill. The general deficiency bill has not yet been passed.

Mr. RUCKER of Colorado. When will it be taken up?

Mr. FITZGERALD. As soon as we can get a chance, but not this afternoon. I think the gentleman from Alabama wants to take up the tariff bill after this.

The SPEAKER. Is there objection to the request of the gentleman from New York? [After a pause.] The Chair hears none.

Mr. MANN. Mr. Speaker, I ask a separate vote on amendments numbered 2, 116, and 183.

Mr. FITZGERALD. I ask unanimous consent that all the amendments except 2, 116, and 183 be disagreed to.

The SPEAKER. The gentleman from New York asks unanimous consent to disagree to all the Senate amendments except Nos. 2, 116, and 183. Is there objection?

There was no objection.

Mr. FITZGERALD. Now, Mr. Speaker, I ask the Clerk to report the Senate amendment No. 2.

The Clerk read as follows:

(2) To enable the President to secure information to assist him in the discharge of the duties imposed upon him by section 2 of the act entitled "An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes," approved August 5, 1909, and the officers of the Government in administering the customs laws, including such investigations of the cost of production of commodities, covering cost of material, fabrication, and every other element of such cost of production, as are authorized by said act, or any existing law, and including the employment of such persons as may be required for those purposes; and to enable him to do any and all things in connection therewith authorized by law, \$225,000. Such officers shall report annually to Congress.

Mr. FITZGERALD. Mr. Speaker, I move that the House disagree to the Senate amendment.

Mr. CANNON. Mr. Speaker, I move that the House concur in the Senate amendment No. 2.

The SPEAKER. The question is on the motion of the gentleman from Illinois that the House concur in the Senate amendment No. 2.

Mr. CANNON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 109, nays 145, answered "present" 4, not voting 131, as follows:

YEAS—109.

Ames	Fuller	Lenroot	Rucker, Colo.
Anderson, Minn.	Gardner, N. J.	Lindbergh	Simmons
Austin	Gillett	Longworth	Sloan
Barchfeld	Good	McCall	Smith, Saml. W.
Bartholdt	Green, Iowa	McKinley	Speer
Bates	Greene, Mass.	McKinney	Steenerson
Berger	Griest	McLaughlin	Stephens, Cal.
Bowman	Guernsey	McMorran	Sterling
Browning	Hanna	Mann	Stevens, Minn.
Burke, S. Dak.	Hartman	Miller	Sulloway
Burke, Wis.	Haugen	Mondell	Switzer
Calder	Hawley	Moore, Pa.	Taylor, Ohio
Cannon	Heald	Morrison	Tilson
Copley	Helgesen	Moss, Ind.	Townner
Crago	Hill	Mott	Utter
Crumpacker	Howell	Needham	Vare
Danforth	Howland	Norris	Volstead
Davis, Minn.	Hughes, W. Va.	Parran	Wedemeyer
De Forest	Humphrey, Wash.	Patton, Pa.	Whitacre
Donohoe	Kahn	Payne	White
Draper	Kendall	Pickett	Willis
Driscoll, M. E.	Kennedy	Plumley	Wilson, Ill.
Dwight	Kent	Pray	Woods, Iowa
Fairchild	Kinkaid, Nebr.	Prince	Young, Kans.
Farr	Knowland	Prouty	Young, Mich.
Focht	Lafferty	Rees	
Foss	La Follette	Roberts, Mass.	
French	Lee, Pa.	Rodenberg	

NAYS—145.

Adair	Doremus	Hull	Ransdell, La.
Adamson	Doughton	Humphreys, Miss.	Rauch
Akin, N. Y.	Driscoll, D. A.	Jacaway	Reilly
Alexander	Estopinal	Johnson, Ky.	Robinson
Allen	Evans	Johnson, S. C.	Rouse
Anderson, Ohio	Fergusson	Jones	Rubey
Ansherry	Finley	Kitchin	Russell
Ashbrook	Fitzgerald	Konig	Sabath
Ayres	Flood, Va.	Korbly	Saunders
Bathrick	Floyd, Ark.	Lamb	Scully
Beall, Tex.	Fornes	Lee, Ga.	Shackleford
Blackmon	Fowler	Lever	Sharp
Boehne	Francis	Levy	Sims
Brantley	Gallagher	Lewis	Slayden
Buchanan	Godwin, N. C.	Lanthicum	Smith, Tex.
Bulky	Goeke	Littlepage	Stanley
Burleson	Goldfogle	Lloyd	Stedman
Burnett	Goodwin, Ark.	McCoy	Stephens, Nebr.
Byrns, Tenn.	Graham	McDermott	Stephens, Tex.
Candler	Gray	McGillcuddy	Stone
Carlin	Gregg, Pa.	McKellar	Sulzer
Carter	Gregg, Tex.	Maguire, Nebr.	Sweet
Claypool	Gudger	Maher	Taggart
Clayton	Hamill	Martin, Colo.	Talbott, Md.
Cline	Hamlin	Murray	Thayer
Connell	Hammond	Neeley	Townsend
Conry	Hardy	Oldfield	Tribble
Cox, Ind.	Harrison, Miss.	O'Shaunessy	Tuttle
Cravens	Harrison, N. Y.	Padgett	Underhill
Cullop	Hay	Page	Underwood
Curley	Hayden	Palmer	Watkins
Davis, W. Va.	Hedlin	Pepper	Webb
Dent	Hensley	Peters	Wilson, N. Y.
Denver	Holland	Post	Witherspoon
Dickinson	Houston	Pou	
Difenderfer	Howard	Rainey	
Dixon, Ind.	Hughes, N. J.	Raker	

ANSWERED "PRESENT"—4.			
Foster	Mays	Riordan	Sparkman
NOT VOTING—131.			
Aiken, S. C.	Dies	Konop	Redfield
Ainey	Dodds	Kopp	Reyburn
Andrus	Dupré	Lafean	Richardson
Anthony	Dyer	Langham	Roberts, Nev.
Barnhart	Edwards	Langley	Roddenbery
Bartlett	Ellerbe	Lawrence	Rothermel
Bell, Ga.	Esch	Legare	Rucker, Mo.
Booher	Faison	Lindsay	Sells
Borland	Ferris	Littleton	Sheppard
Bradley	Fields	Lobeck	Sherley
Broussard	Fordney	Loud	Sherwood
Brown	Gardner, Mass.	McCreary	Sisson
Burgess	Garner	McGuire, Okla.	Slemp
Burke, Pa.	Garrett	McHenry	Small
Butler	George	McKenzie	Smith, J. M. C.
Byrnes, S. C.	Glass	Macon	Smith, Cal.
Callaway	Gould	Madden	Smith, N. Y.
Campbell	Hamilton, Mich.	Martin, S. Dak.	Stack
Cantrill	Hamilton, W. Va.	Matthews	Stephens, Miss.
Cary	Hardwick	Moon, Pa.	Talcott, N. Y.
Catlin	Harris	Moon, Tenn.	Taylor, Ala.
Clark, Fla.	Haves	Moore, Tex.	Taylor, Colo.
Collier	Helm	Morgan	Thistlewood
Cooper	Henry, Conn.	Morse, Wis.	Thomas
Covington	Henry, Tex.	Murdock	Turnbull
Cox, Ohio	Higgins	Nelson	Vreeland
Currier	Hinds	Nye	Warburton
Curry	Hobson	Olmsted	Weeks
Dalzell	Hughes, Ga.	Patten, N. Y.	Wilder
Daugherty	Jackson	Porter	Wilson, Pa.
Davenport	James	Powers	Wood, N. J.
Davidson	Kindred	Pujo	Young, Tex.
Dickson, Miss.	Kinkead, N. J.	Randell, Tex.	

So the motion to concur was rejected.
The Clerk announced the following pairs:
For the session:
Mr. TURNBULL with Mr. HAYES.
Mr. BARTLETT with Mr. BUTLER.
Mr. FORTNES with Mr. BRADLEY.
Mr. BELL of Georgia with Mr. LANGHAM.
Mr. BURGESS with Mr. WEEKS.
Mr. GLASS with Mr. SLEMP.
Mr. RIORDAN with Mr. ANDRUS.
Until further notice:
Mr. TAYLOR of Alabama with Mr. HIGGINS.
Mr. LOBECK with Mr. HAMILTON of Michigan.
Mr. STEPHENS of Mississippi with Mr. ROBERTS of Nevada.
Mr. SMALL with Mr. REYBURN.
Mr. SISSON with Mr. MATTHEWS.
Mr. PUJO with Mr. WILDER.
Mr. RODDENBERY with Mr. PORTER.
Mr. REDFIELD with Mr. POWERS.
Mr. MOON of Tennessee with Mr. MOON of Pennsylvania.
Mr. LITTLETON with Mr. MARTIN of South Dakota.
Mr. KONOP with Mr. VREELAND.
Mr. KINKEAD of New Jersey with Mr. SELLS.
Mr. JAMES with Mr. J. M. C. SMITH.
Mr. HUGHES of Georgia with Mr. MCKENZIE.
Mr. HOBSON with Mr. MCGUIRE of Oklahoma.
Mr. HENRY of Texas with Mr. MCCREARY.
Mr. GEORGE with Mr. LAWRENCE.
Mr. FOSTER with Mr. KOPP.
Mr. GARNER with Mr. LAFEAN.
Mr. FERRIS with Mr. JACKSON.
Mr. FAISON with Mr. HINDS.
Mr. DUPRÉ with Mr. HENRY of Connecticut.
Mr. DIES with Mr. HARRIS.
Mr. COVINGTON with Mr. DODDS.
Mr. COLLIER with Mr. CURRY.
Mr. CLARK of Florida with Mr. CURRIER.
Mr. RANDELL of Texas with Mr. CATLIN.
Mr. BOOHER with Mr. CARY.
Mr. BARNHART with Mr. BURKE of Pennsylvania.
Mr. AIKIN of South Carolina with Mr. AINEY.
Mr. SHERLEY with Mr. OLMSTED.
Mr. SHEPPARD with Mr. BATES.
Mr. RICHARDSON with Mr. NYE.
Mr. LEGARE with Mr. LOUD.
Mr. HARDWICK with Mr. CAMPBELL.
Mr. GARRETT with Mr. FORDNEY.
Mr. SPARKMAN with Mr. DAVIDSON.
Mr. FIELDS with Mr. LANGLEY.
Mr. RUCKER of Missouri with Mr. DYER.
Mr. SHERWOOD with Mr. WOOD of New Jersey.
Mr. EDWARDS with Mr. DALZELL.
Mr. MAYS with Mr. THISTLEWOOD.
Ending August 28:
Mr. BYRNES of South Carolina with Mr. MADDEN.
Ending August 1:
Mr. COX of Ohio with Mr. ANTHONY.
The result of the vote was announced as above recorded.

Mr. FITZGERALD. The next is amendment numbered 116, page 102.

The SPEAKER. What motion does the gentleman wish to make?

Mr. MANN. Mr. Speaker, I ask that amendment numbered 116 be reported.

The SPEAKER. The Clerk will report the amendment. The Clerk read as follows:

Amendment 116, page 91, after line 25, insert the following:

"(116) PENSION BUREAU.

"Three hundred thousand dollars, or so much thereof as may be necessary, to employ, temporarily, extra clerks by the Commissioner of Pensions to aid him in the work incident to the adjudication of pension claims filed under the act entitled 'An act granting a service pension to certain defined veterans of the Civil War and the War with Mexico,' approved May 11, 1912, at salaries not to exceed \$1,200 each; and in order to facilitate said work the Commissioner of Pensions is authorized to employ clerks heretofore employed in other departments of the Government service, or others who may be sufficiently skilled to do the required work, without complying with the requirements of the civil-service laws: *Provided, however,* That none of said extra clerks shall continue in the service beyond the fiscal year of this appropriation without further legislation, or by reason of said employment alone be eligible for transfer to the service in other departments, or be continued longer than may be necessary to do the work hereby provided for."

Mr. FITZGERALD. Mr. Speaker, I move that the House disagree to the Senate amendment.

The SPEAKER. The gentleman from New York moves that the House disagree to Senate amendment numbered 116.

Mr. CANNON. Mr. Speaker, I move that the House do concur in the Senate amendment.

The SPEAKER. The gentleman from Illinois moves that the House concur in the Senate amendment.

Mr. CANNON. Mr. Speaker—

Mr. FITZGERALD. Mr. Speaker, I think I am entitled to the floor, although the gentleman's motion is preferential.

Mr. MANN. We are under the five-minute rule.

Mr. FITZGERALD. I will yield the gentleman five minutes.

Mr. MANN. We are under the five-minute rule.

Mr. CANNON. We are under the five-minute rule, and I understand the gentleman is entitled to first recognition; but, Mr. Speaker, I shall be glad to have unanimous consent of the House to proceed for 15 minutes to discuss the motion to concur. I think I shall not use so much time.

Mr. FITZGERALD. Mr. Speaker, I suggest the gentleman ask for 10 minutes.

Mr. CANNON. I should prefer 15, although I think I shall not use so much time.

The SPEAKER. The gentleman from Illinois asks unanimous consent to proceed for 15 minutes.

Mr. MANN. I think we could agree upon a time for closing debate, and then we could divide the time.

Mr. FITZGERALD. How much time does the gentleman wish on that side?

Mr. MANN. Fifteen minutes, I think.

Mr. FITZGERALD. Mr. Speaker, I move that debate on the amendment close in 30 minutes, one half to be controlled by the gentleman from Illinois and one half by myself.

Mr. MANN. That will give the gentleman from Illinois 15 minutes.

Mr. CANNON. Precisely; but yet gentlemen upon the Pensions Committee and others may desire to be heard upon this matter, and I would be glad to have 15 minutes myself.

Mr. FITZGERALD. I think we can easily agree on a time.

Mr. CANNON. I will agree with the gentleman at the close of any remarks that he desires to make, but I desire to be allowed 15 minutes.

Mr. FITZGERALD. All that is to be said can be said on this amendment in five minutes. I ask unanimous consent that debate on the amendment be limited to 30 minutes, 15 minutes to be controlled by the gentleman from Illinois and 15 minutes by myself.

The SPEAKER. The gentleman from New York asks unanimous consent—

Mr. CANNON. Make it 40 minutes.

Mr. FITZGERALD. We have another amendment to vote on yet.

Mr. CANNON. I think we have plenty of time; we have not done much in the House to-day—well, I will say, make it 30 minutes.

The SPEAKER. The gentleman from New York asks unanimous consent that debate on the amendment be closed at the end of 30 minutes, one half of that time—

Mr. CANNON. I want to say to the Members of the House—

Mr. FITZGERALD. Let us get an agreement before we begin the debate.

Mr. CANNON. But in getting the agreement I want to say to Members of the House I apprehend I shall use the whole 15 minutes myself.

Mr. MANN. That is understood.

The SPEAKER. The gentleman from New York asks unanimous consent that debate on this amendment be concluded in 30 minutes, one-half to be controlled by him and one-half by the gentleman from Illinois [Mr. CANNON]. Is there objection? [After a pause.] The Chair hears none. The gentleman from Illinois is entitled to 15 minutes.

Mr. CANNON. The gentleman from New York is first entitled to the floor.

Mr. FITZGERALD. Mr. Speaker, this amendment of the Senate provides \$300,000 for extra clerical services during the current fiscal year for the Pension Bureau. Its purpose is to enable the Commissioner of Pensions to obtain such additional clerical services as may be necessary to carry out the provisions of the general pension act approved on the 11th day of May, 1912. This law has been approved since the 11th of May, 1912. No request has come from the Pension Bureau for additional help—

Mr. ANDERSON of Ohio. Mr. Speaker—

Mr. FITZGERALD (continuing). No estimate has been submitted by the Commissioner of Pensions—

Mr. ANDERSON of Ohio. Will the gentleman yield for a question?

Mr. FITZGERALD. I would like to make a statement of a minute or two and then I will yield.

The SPEAKER pro tempore (Mr. MURRAY). Does the gentleman yield?

Mr. FITZGERALD. Not just at present—and no one in this House has any information upon which they can intelligently act regarding this amendment. This amendment was not inserted in the Senate by a committee after investigation.

It was proposed by a Senator when the bill was under consideration and, as is usual in many cases, accepted rather than to provoke debate or controversy. I understand this money is not wanted by the Commissioner of Pensions. This provision is so framed that even if additional clerical service were required the clerks that could be employed under it would not be of the character that would be of any value, but would be of the character that would be imposed upon him in order to take care of needy political helpers throughout the United States.

Mr. ANDERSON of Ohio. Does the gentleman get his information direct from the Pension Bureau?

Mr. FITZGERALD. I did not say so.

Mr. ANDERSON of Ohio. I came from the Pension Bureau, and the commissioner says he wants the help.

Mr. FITZGERALD. The commissioner probably told that to the gentleman from Ohio, understanding his attitude on these matters, but the commissioner has never hesitated to observe the law, and whenever he wanted help or money he has submitted an estimate in accordance with the law. My information comes from a source sufficiently reliable to satisfy me and to justify my statement that the services that could be employed under this item, as shrewdly and carefully prepared, is not the character of services that would be of any value whatever in the Pension Office. But this \$300,000 would be very helpful—materially so—to the Republican Party in its distress at this time in providing for a number of persons who can not be provided for in any other way.

Mr. COX of Indiana. Will the gentleman yield for one moment?

The SPEAKER pro tempore. Will the gentleman from New York [Mr. FITZGERALD] yield to the gentleman from Indiana [Mr. COX]?

Mr. FITZGERALD. I yield to the gentleman.

Mr. COX of Indiana. On last Saturday I was at the Pension Bureau, and was informed by the officers in charge that 450,000 claims had been filed, and they had adjudicated 25,000 of the new claims, and were able with the force that they then had to take care of a thousand claims a day from now on.

Mr. FITZGERALD. I understand that to be the fact. And, moreover, the Commissioner of Pensions has had 71 days—

Mr. ANDERSON of Ohio. Mr. Speaker—

The SPEAKER pro tempore. Does the gentleman from New York yield to the gentleman from Ohio?

Mr. FITZGERALD. I decline to yield to the gentleman at present. The Commissioner of Pensions has had 71 days in which to submit an estimate or a request for any help that he would need, and he has not done so. Mr. Speaker, when the Sherwood pension bill was under consideration I made the statement to the House that if the House were to enact that bill it should be fair about it, and do so with the understanding that it would give to the Pension Office whatever

additional assistance would be required. I made the statement that I would personally insist upon giving to the Pension Office any additional help that might be required by the enactment of that law. That bill did not become a law. A very different bill became a law. My statement was well known in the Pension Office, as it is in the other departments here in Washington, and no one with any responsibility, with any official standing, has requested that this appropriation be made. No one has suggested it. No one familiar with the conditions in the Pension Office has said that this additional help is necessary. I hope the House, in view of these circumstances, will not, in order simply to gratify a whim of gentlemen upon that side, or of others, vote \$300,000 unnecessarily to provide help that is not needed. These pensions take effect from the date of the application, and I understand that they will be cleaned up so quickly that nobody will suffer inconvenience or any unusual delay beyond that suffered by any person ordinarily applying for a pension. Indeed, they will not be delayed nearly as much.

Mr. Speaker, I reserve the balance of my time. [Applause.]

The SPEAKER pro tempore. The gentleman from New York [Mr. FITZGERALD] has eight minutes remaining, which he has reserved, and the gentleman from Illinois [Mr. CANNON] has 15 minutes.

Mr. CANNON. Mr. Speaker, I wish the Chair would notify me when I have consumed 10 minutes.

The SPEAKER pro tempore. The Chair will do so.

Mr. CANNON. Mr. Speaker, under the provisions of the new pension law there have been over 420,000 claims filed—a great number. The gentleman from Indiana [Mr. COX] says—and I do not know by what authority he speaks, but it may be true—that a thousand cases a day may be taken care of at the Pension Bureau.

Mr. COX of Indiana. My authority comes from the bureau itself.

Mr. CANNON. Precisely. That is the gentleman's statement, and I have no doubt he thinks it is correct; but that means 420 working days, with 30 days' leave of absence, for this force in the Pension Office, even upon the gentleman's showing. If nothing else was done touching current business in the Pension Office, it would be substantially two years before these claims could be disposed of.

Now, in 1890, when the law was passed known as the disability pension act, the force was increased by 420 clerks. Since that time the force has been decreased—I am speaking of clerical employees now—to 767 in the Pension Bureau.

Now, I am speaking of facts, and I want to call the attention of the gentleman from New York to a very significant fact—that to-day the current work for the coming fiscal year, without any reference to these 420,000 new claims now pending under the new pension law lately passed, gives employment to 767 clerks, and the legislative appropriation bill carries that number. They are provided to do current work aside from the work that is to be done on these 420,000 new claims, with still other claims to be filed hereafter. Now, are you going to suffer the current work to be put aside in order that the claims under the law that was passed in May last may be taken up?

I am getting letters almost by the score every day from men who say, "I am old and incapacitated; we are dying at the rate of nearly 40,000 a year." I refer these letters, in part, until I find what the answer is to be, to the Commissioner of Pensions, and there comes back the statement that in this avalanche of claims they have got to be docketed and numbered, and they can not even give the number on the docket, and most of them have not been docketed and numbered. I send the answer to the aged and destitute old veteran of the War for the Union, and once in a while I get a letter in reply protesting very seriously.

Mr. ANDERSON of Ohio. Mr. Speaker, will the gentleman yield?

Mr. CANNON. In a moment. Now, one of two things is absolutely certain. The Committee on Appropriations, over which the gentleman from New York [Mr. FITZGERALD] so ably presides, recommended appropriations on the legislative appropriation bill for 767 clerks, on the estimate submitted before the new pension bill was passed, and the gentleman says:

That is enough.

He says:

We have no estimate from the Commissioner of Pensions for additional force. We have not heard. No demand has been made. One thousand cases can be adjudicated in a day.

That would be two years, if you count out holidays and leaves of absence, even if no current work were done during that time.

Mr. LONGWORTH. Does the gentleman believe—

Mr. CANNON. In a moment. Now, then, gentlemen on both sides of this House voted for this new pension legislation. We

on this side almost solidly voted for that legislation, and most of you on that side, under the leadership of that gallant soldier of the Civil War, Gen. SHERWOOD—all of you but about 70 or 80—voted for this legislation. Now, are you going to let from 40,000 to 80,000 of these veterans die annually before their claims are disposed of, because you say it will cost \$300,000?

Mr. ANDERSON of Ohio. Mr. Speaker, will the gentleman yield?

The SPEAKER pro tempore. Does the gentleman yield?

Mr. CANNON. I will yield just for a question.

Mr. ANDERSON of Ohio. Does not the gentleman's information agree with mine—the information that the gentleman has received from the Pension Bureau—to the effect that they require necessary help over there to adjudicate these claims?

Mr. CANNON. Oh, I have not had any communication from the Pension Bureau. I do not need any. This new pension law is a dead letter if its execution and administration are unduly delayed. Anybody can see it. Even my friend, the chairman of the committee, can see it, when I call his attention again to it. Seven hundred and sixty-seven clerks are needed in the bureau to dispose of current work there, and would be needed if the bill had not been passed, and the gentleman does not propose to increase the number by one single clerk.

Mr. ANDERSON of Ohio. I had not quite finished my question.

Mr. CANNON. All right. I have very little time.

Mr. ANDERSON of Ohio. I just wanted to make this statement, that any Member of the House who votes against this amendment votes against his private pension bill in the Committee on Invalid Pensions, because they have a rule that they will not consider a claim by special act until the claim of the old soldier has been adjudicated at the Pension Bureau.

Mr. CANNON. That is correct. Now, does the gentleman from Ohio [Mr. LONGWORTH] desire to ask me a question?

Mr. LONGWORTH. Yes. I merely wanted to ask the gentleman if he believed that, with the present clerical force, they could adjudicate more than 1,000 claims a day in addition to the regular current work that they would otherwise do?

Mr. CANNON. No; they could not adjudicate 1,000 claims a day unless these 767 clerks turned aside from their current work and devoted their time entirely to the new claims. They would have to work constantly on these new claims, even according to the statement of the gentleman from Indiana [Mr. COX], and neglect current business of the Bureau of Pensions. Oh, the gentleman from New York [Mr. FITZGERALD] says there are no good clerks to employ; that there is no trained force. Why, this clerical force has been decreased, and there are many of the former clerks in the city and in the country. There are plenty of experts who will come in for the \$1,200 a year. The gentleman from New York said that the Republican Party in its desperation must have these 300 people appointed at \$1,200 a year or it will sink. In my judgment that was not worthy of the gentleman.

The SPEAKER pro tempore. The Chair will state to the gentleman from Illinois that he has now used nine minutes of the time at his disposal.

Mr. CANNON. I will ask the Chair to notify me at the end of three minutes more.

Mr. Speaker, what a contention that was for the gentleman from New York [Mr. FITZGERALD] to make. I am glad to see gentlemen present here from the State of Ohio and Indiana, especially the Member from the Muncie district [Mr. ADAIR]. I had many letters written by Indiana Democratic Members while I was Speaker of the House to their constituents sent to me, saying that the wicked Speaker would not let a pension bill be passed, and the Indiana democracy passed a platform that tore passion to tatters. I had no defense except now and then to answer a letter briefly, explaining the conditions, saying that I favored and would do all I could for liberal legislation.

A Democratic House came in. We have the present pension legislation. We Republicans voted for it. You Democrats voted for it, except 70 or 80 of you; and I want to say to you gentlemen, when you flap your wings and crow and say, "We passed this bill," unless you give these 300 clerks to adjudicate these claims you will have to reckon with the soldier population that you sought to deceive at my expense and whom you unjustly deceived while I was Speaker, because you will be saying, "Yes; we enacted the law," but now if you follow the lead of the gentleman from New York you will refuse to give the force to adjudicate the claims.

Now, I will reserve the balance of my time.

Mr. RUCKER of Colorado. Will the gentleman yield for a question?

Mr. CANNON. I will reserve the balance of my time, but will yield to the gentleman later if I have the time.

Mr. FITZGERALD. If the gentleman from Illinois is going to use the remainder of his time, I will ask him to use it now, as I have only one speech.

Mr. CANNON. It is my motion. I have the close.

Mr. FITZGERALD. I think I have the close.

Mr. BATHRICK. Mr. Chairman, a parliamentary inquiry. Is a pro forma amendment in order?

The SPEAKER pro tempore. If the gentleman will state his amendment the Chair will pass upon the question whether or not it is in order.

Mr. BATHRICK. I move to strike out the last word.

Mr. MANN. I make the point of order that the amendment is out of order.

The SPEAKER pro tempore. The gentleman from Illinois makes the point of order that the amendment is not in order, and the Chair rules that the point is well taken.

Mr. BATHRICK. I ask permission to extend my remarks in the Record on this amendment.

The SPEAKER pro tempore. The gentleman from Ohio asks unanimous consent to extend his remarks in the Record. Is there objection?

There was no objection.

Mr. FITZGERALD. If the gentleman from Illinois is not going to use his time, I will ask for a vote.

Mr. CANNON. Has the gentleman only one speech to make in conclusion?

Mr. FITZGERALD. That is all.

Mr. CANNON. How much time have I?

The SPEAKER. Four minutes.

Mr. CANNON. I yield four minutes to my colleague [Mr. MANN].

The SPEAKER. The gentleman from Illinois [Mr. MANN] is recognized for four minutes.

Mr. MANN. Mr. Speaker, there are over 400,000 pension claims now pending under the new pension law, undisposed of in the Bureau of Pensions. The question is whether the House having added these 400,000 pension claims to the work of the Pension Bureau and having promised the old soldiers that they would give them this additional amount during the balance of their lives, will keep that promise sacred and permit the money to be paid or whether it is an Indian promise—only made to be taken back. [Applause.] You on that side of the House have laid great stress on the fact that a part of the Democrats voted for the Sherwood pension bill. That part who so valiantly and patriotically voted for the Sherwood pension bill are to-day on trial on this amendment, because unless this amendment is passed more than 80,000 of these old veterans will pass away before their claims can be adjudicated. Do you propose to feed them on promises or do you propose to give them money with which to buy food and clothing?

Mr. ALLEN. Mr. Speaker, will the gentleman yield?

Mr. MANN. For a question.

Mr. ALLEN. Has the gentleman any information as to how long it would take one of the regular employees to instruct one of the proposed new employees in the examination and adjudication of these claims?

Mr. MANN. Mr. Speaker, I have talked with the Commissioner of Pensions, and, without attempting to quote him, I say that under the Sherwood bill, which is in part a service bill, it takes a great deal of time to search for and find the service of every applicant, and a new clerk in the Pension Office is as able to do that as one who has been there for years, because it is a new proposition. [Applause on the Republican side.] That is where the main work comes in. Every applicant must have his Army service scanned; there must be taken from the service any time which he has lost. The Pension Office is to-day overcrowded with that work, and we propose from the knowledge we have on our side to relieve the office without an estimate and without a demand; we put the extra work on the Pension Bureau, but we are prepared to give them the extra help. We are willing to say now to these old soldiers that "we promised you additional money in your old age and we will give you the money and not blank promises," as suggested by the gentleman from New York. [Applause on the Republican side.]

The SPEAKER. The gentleman from New York has eight minutes remaining.

Mr. FITZGERALD. Mr. Speaker, the interest of gentlemen on that side of the House in this matter is very amusing. The present Chief Executive returned to the city one night, stopping over between trips in his primary campaign, in order to sign the pension bill, in the hope that it might benefit him in the primaries. Apparently he has grown so cold that, although 71 days have passed since that eventful night, neither he nor anyone else in his administration has discovered the need

for any additional help in the Pension Office. [Applause on the Democratic side.] The gentleman from Illinois himself has special means of obtaining information from the Pension Office. A distinguished citizen of his is one of the deputy commissioners there, and it has been charged from time to time that he was not overburdened with work, and attempts have been made to abolish the place, but even he has sent no communication to the gentleman from Illinois calling attention to the fact that the Pension Office is sadly in need of the additional help.

We understand the anxiety of the gentleman from Illinois in this matter. There is a large soldier's home in his district, and after eight years' service in the Speaker's chair, during which it was absolutely impossible, until the dying hours of his service, to pass a general pension bill, now when the Democrats have the House and have passed a bill he is trying to outdo himself to show that he is favorable to the old soldier. [Applause on the Democratic side.]

There is a peculiar reason for anxiety on that side of the House for this amendment. Three hundred thousand dollars available now, just before the campaign opens, for the employment of "clerks heretofore employed in other departments of the Government service or others who may be sufficiently skilled to do the required work, without complying with the requirements of the civil service." [Laughter and applause on the Democratic side.]

Oh, yes; the old soldier is what the appeal is made for, but the need of men to spend their time out on the hustings and at the polls on election day is what is desired to help perpetuate this administration in office.

If there be a need for these clerks, the Commissioner of Pensions can estimate for them. This session of Congress has been prolific of and notorious for the supplemental estimates that have been submitted, exceeding those of any other session in the history of our Government. And yet gentlemen would have us understand that in so important a matter as this no one in the administration was sufficiently alive to the situation to suggest the necessity for this help. Not even a Republican Senator made any such suggestion. The amendment was adopted in the Senate upon the motion of a Democrat.

Mr. Speaker, if there be need for additional clerks it is easy for the administration to make that fact known; it is easy to communicate that fact to Congress. This bill is to go to conference, and there will be ample time for the administration to furnish accurate information as to what will be needed, and there will be plenty of opportunities for the conferees to draft an amendment that will provide any additional help that may be needed.

Mr. ANDERSON of Ohio. Will the gentleman yield?

Mr. FITZGERALD. No; I decline to yield. The clerks to do the work can then be selected and required to do their work here in Washington, and not out on the hustings in the next few months in the interest of some gentlemen. I ask this side of the House not to be misled by declarations of sympathy coming from that side of the House, not to be misled by protestations of interest for the old soldier, but to let this matter go to conference. Then, if gentlemen on that side of the House, not having been able to do so during the last 71 days, during the next 5 days or the next 10 days can get accurate information from official sources that these services are actually required, the House can very easily agree upon a provision that will give all of the help actually needed. Until that is done I hope that this amendment will not be agreed to and that the gentleman's motion will be voted down. [Applause on the Democratic side.] I desire to insert as part of my remarks two communications which show the impropriety of adopting the amendment, one from the president of the United States Civil Service Commission, the other from the president of the National Civil Service Reform League.

UNITED STATES CIVIL SERVICE COMMISSION,
Washington, D. C., July 28, 1912.

HON. JOHN J. FITZGERALD,
Chairman Committee on Appropriations,
House of Representatives.

SIR: The commission has the honor to invite your attention to the provision contained in amendment No. 116, at pages 102 and 103 of the sundry civil bill (H. R. 25069), which passed the Senate, with amendments, on July 24, 1912, and is now before the House. The provision referred to is one making appropriation of \$300,000 to employ extra clerks outside the civil-service law.

The proposed appropriation would permit the employment of 250 clerks at the maximum compensation stated during the entire year, or a much larger number for a shorter period. The proposal seems opposed to the declared policy of the House of Representatives and of the President to secure economy and to the provision in the legislative appropriation bill as it passed the House, that no original appointments should be made to fill vacancies during the present fiscal year.

No legislation permitting any considerable number of appointments without reference to the civil-service act and rules has been passed since the War with Spain. A large number of the clerks then appointed without examination were afterwards covered into the classified

service through act of Congress, and the service has barely recovered from this unnecessary and, as the commission believes, ill-advised legislation. The commission has ample eligibles, and many of these eligibles are persons who have had clerical experience in the Census Office, Treasury, and other departments in which reductions of force have been and are being made. It would be an injustice to deprive these persons of proved capacity of opportunity for appointment. The provision will require the separation of the persons appointed without reference to the civil-service law at the end of the year, and the Bureau of Pensions will be unable to avail itself, in filling vacancies in the regular force, of the experience which they have acquired. If it should be found that extra clerks would still be needed, Congress would be importuned to authorize the permanent appointment of such additional clerks. It is within the power of the President to make exceptions and permit the employment of former Government clerks or others. There is therefore no necessity for exception by legislation.

If appointments are made without examination, they will inevitably be persons of inferior ability, the work will be unnecessarily prolonged, and the cost increased. Experience has shown that the majority of employees appointed on the basis of political favor are far below the average of persons of like grade appointed through competitive examinations. To exempt these persons from the civil-service law would be contrary to the party platforms just adopted by each of the great parties. If the additional employees can be appointed as needed from the ample registers of eligibles, better service will be secured than will otherwise be possible, the efficiency of the force will be greatly bettered, and the cost of the work correspondingly reduced.

The experience of the commission shows that little inconvenience is occasioned to the departments in supplying very large numbers of temporary employees in cases of emergency. It is a misconception that it requires red tape, delay, and circumlocution to set the machinery of the commission in motion. Any other way of securing eligibles involves many times the amount of time and labor that is required in choosing eligibles from the registers. Hundreds of appointments can be made from the registers in a few hours, and it only remains to send printed letters of appointment to the persons chosen.

By direction of the commission.

Very respectfully,

JOHN C. BLACK, President.

NATIONAL CIVIL SERVICE REFORM LEAGUE,
New York, July 30, 1912.

HON. JOHN J. FITZGERALD,
Chairman Committee on Appropriations,
House of Representatives, Washington, D. C.

DEAR SIR: On behalf of the National Civil Service Reform League I desire to submit an earnest protest against the amendment to the sundry civil bill (H. R. 25069) introduced in the Senate and providing for an appropriation of \$300,000 to employ additional clerks in the Pension Bureau outside of the civil-service law. This is amendment No. 116, at pages 102 and 103 of the bill.

The argument was made in the Senate that the passage of the act granting a service pension would entail extra work upon the Pension Bureau requiring an additional clerical force. But I can find nowhere in the argument, as printed in the CONGRESSIONAL RECORD, any reasons stated why this additional force of clerks, at salaries not to exceed \$1,200, should be appointed outside the civil-service law. The only excuse for such a provision would be inability on the part of the Civil Service Commission to supply an adequate force within a reasonable time, but we are informed by the commission that it has upon its registers a full complement of eligibles from whom selection could be made for these positions. In view of the lack of any necessity for going outside the lists to make these appointments this provision in the bill is a gross injustice to those who have taken the examinations and qualified for positions in accordance with the law and custom.

The force thus thrown open to political appointments would number 250 or more. Congress could continue their appointment by further legislation next year and Members of Congress would be importuned by the force so appointed to grant an extension of employment or transfer to the classified service. There is no precedent for such a widespread exception since the days of the Spanish War, when in the face of full lists of eligibles on the plea of exigency a large force was appointed without regard to the rules. Before the lapse of any considerable time it was shown that this force was distinctly inferior in capacity to the regular civil-service employees, yet by subsequent action they were covered into the classified service. This amendment inserted by the Senate can not and will not be otherwise regarded than an attempt to secure patronage at the expense of the merit system, and we desire to urge as strongly as possible that the House of Representatives should not assent to it.

Respectfully, yours,

ELLIOT H. GOODWIN, Secretary.

The SPEAKER. The question is on the motion of the gentleman from Illinois to concur in Senate amendment 116.

Mr. CANNON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 165, nays 88, answered "present" 3, not voting 133, as follows:

YEAS—165.

Adair	Calder	Dwight	Gregg, Pa.
Akin, N. Y.	Cannon	Estopinal	Griest
Allen	Claypool	Fairchild	Guernsey
Ames	Cline	Farr	Hammond
Anderson, Minn.	Copley	Fergusson	Hanna
Anderson, Ohio	Cox, Ind.	Focht	Hartman
Ansberry	Crago	Foss	Hawley
Ashbrook	Crumpacker	Foster	Hayden
Austin	Cullop	Fowler	Heald
Barchfeld	Curley	Francis	Helgesen
Bartholdt	Curry	French	Hill
Bates	Danforth	Fuller	Howell
Bathrick	Davis, Minn.	Gardner, Mass.	Howland
Berger	De Forest	Gardner, N. J.	Hughes, W. Va.
Boehne	Denver	Gillett	Humphrey, Wash.
Bowman	Difenderfer	Goeke	Kahn
Brown	Dixon, Ind.	Good	Kendall
Browning	Donohoe	Graham	Kennedy
Bulkeley	Doremus	Gray	Kinkaid, Nebr.
Burke, S. Dak.	Draper	Green, Iowa	Knowland
Burke, Wis.	Driscoll, M. E.	Greene, Mass.	Lafferty

La Follette	Mott	Rodenberg	Taylor, Ohio
Lee, Pa.	Murray	Rubey	Tilson
Lenroot	Needham	Rucker, Colo.	Towner
Lindbergh	Neeley	Scully	Underhill
Linthicum	Norris	Shackelford	Utter
Littlepage	O'Shaunessy	Sharp	Vare
Longworth	Patton, Pa.	Simmons	Volstead
McCall	Payne	Sloan	Warburton
McGillivray	Pepper	Smith, J. M. C.	Wedemeyer
McKinley	Pickett	Speer	Whitacre
McKinney	Plumley	Steenerson	White
McLaughlin	Post	Stephens, Cal.	Willis
McMorran	Pray	Stephens, Nebr.	Wilson, Ill.
Maguire, Nebr.	Prince	Sterling	Wilson, N. Y.
Mann	Prouty	Stevens, Minn.	Wilson, Pa.
Martin, Colo.	Raker	Stone	Woods, Iowa
Miller	Ransdell, La.	Sulloway	Young, Kans.
Mondell	Rauch	Sulzer	Young, Mich.
Moore, Pa.	Rees	Sweet	
Morrison	Reilly	Switzer	
Moss, Ind.	Roberts, Mass.	Taggart	

NAYS—88.

Adamson	Evans	Houston	Palmer
Alexander	Finley	Howard	Peters
Ayres	Fitzgerald	Hughes, N. J.	Pou
Beall, Tex.	Flood, Va.	Hull	Raney
Blackmon	Floyd, Ark.	Humphreys, Miss.	Robinson
Brantley	Fornes	Jacoway	Rouse
Buchanan	Gallagher	Johnson, Ky.	Russell
Burleson	Godwin, N. C.	Johnson, S. C.	Sabath
Burnett	Goodfogle	Jones	Saunders
Byrnes, Tenn.	Goodwin, Ark.	Kent	Sims
Candler	Gregg, Tex.	Kitchin	Slarden
Carlin	Gudger	Konig	Smith, Tex.
Carter	Hamill	Korby	Stanley
Clayton	Hamlin	Levy	Stedman
Connell	Hardy	Lloyd	Stephens, Tex.
Conry	Harrison, Miss.	McCoy	Thayer
Cravens	Harrison, N. Y.	McDermott	Tribble
Davis, W. Va.	Hay	McKellar	Tuttle
Dent	Heflin	Maher	Underwood
Dickinson	Henry, Tex.	Oldfield	Watkins
Doughton	Hensley	Padgett	Webb
Driscoll, D. A.	Holland	Page	Witherspoon

ANSWERED "PRESENT"—3.

Mays	Parran	Riordan
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NOT VOTING—133.

Alken, S. C.	Dyer	Langley	Richardson
Ainey	Edwards	Lawrence	Roberts, Nev.
Andrus	Ellerbe	Lee, Ga.	Roddenberry
Anthony	Esch	Legare	Rothermel
Barnhart	Faison	Lever	Rucker, Mo.
Bartlett	Ferris	Lewis	Sells
Bell, Ga.	Fields	Lindsay	Sheppard
Booher	Fordney	Littleton	Sherley
Borland	Garner	Loebck	Sherwood
Bradley	Garrett	Loud	Sisson
Broussard	George	McCreary	Slomp
Burgess	Glass	McGuire, Okla.	Small
Burke, Pa.	Gould	McHenry	Smith, Saml. W.
Butler	Hamilton, Mich.	McKenzie	Smith, Cal.
Byrnes, S. C.	Hamilton, W. Va.	Macon	Smith, N. Y.
Callaway	Hardwick	Madden	Sparkman
Campbell	Harris	Martin, S. Dak.	Stack
Cantrill	Haugen	Matthews	Stephens, Miss.
Cary	Hayes	Moon, Pa.	Talbott, Md.
Catlin	Helm	Moon, Tenn.	Talcott, N. Y.
Clark, Fla.	Henry, Conn.	Moore, Tex.	Taylor, Ala.
Collier	Higgins	Morgan	Taylor, Colo.
Cooper	Hinds	Morse, Wis.	Thistlewood
Covington	Hobson	Murdock	Thomas
Cox, Ohio	Hughes, Ga.	Nelson	Thomson
Currier	Jackson	Nye	Turnbull
Dalzell	James	Olmsted	Vreeland
Daugherty	Kindred	Patten, N. Y.	Weeks
Davenport	Kinhead, N. J.	Porter	Wilder
Davidson	Konop	Powers	Wood, N. J.
Dickson, Miss.	Kopp	Pujo	Young, Tex.
Dies	Lafean	Randell, Tex.	
Dodds	Lamb	Redfield	
Dupré	Langham	Reyburn	

So the motion to concur was agreed to.

The Clerk announced the following additional pairs:

Until further notice:

Mr. LEE of Georgia with Mr. McCREARY.

Mr. TALBOTT of Maryland with Mr. PARRAN.

Mr. LAMB with Mr. HAUGEN.

The result of the vote was announced as above recorded.

Mr. FITZGERALD. Mr. Speaker, I ask that the next amendment be reported.

The SPEAKER. The Clerk will report amendment No. 183.

The Clerk read as follows:

Page 115, line 6, strike out the figures "200,000" and insert "300,000" in lieu thereof.

Mr. MANN. Mr. Speaker, I ask unanimous consent that the paragraph may be reported.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the entire paragraph may be reported. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

Page 134 of the bill, line 17:

"Enforcement of antitrust laws: For the enforcement of antitrust laws, including not exceeding \$10,000 for salaries of necessary employees at the seat of government, \$300,000."

Mr. CANNON. Mr. Speaker, I move that the House concur in the Senate amendment.

Mr. FITZGERALD. I move that the House disagree to the Senate amendment.

The SPEAKER. The gentleman from Illinois moves to concur and the gentleman from New York to disagree to the Senate amendment. The question is on the motion of the gentleman from Illinois [Mr. CANNON] to concur in Senate amendment 183.

Mr. FITZGERALD. Mr. Speaker, I simply wish to say a word. In the years 1911 and 1912 a Republican Congress appropriated \$200,000 for this purpose. The appropriation for the enforcement of the antitrust law originated in this House when proposed by a Democrat, the gentleman from Georgia [Mr. BARTLETT]. He proposed an appropriation of \$250,000, and it was eventually agreed to appropriate half a million dollars. The appropriation was a continuing one until two years ago, when specific appropriations of \$200,000 for each year were made. In the general deficiency bill, which was considered last week, the committee reported an item of \$60,000 to supply deficiencies in this item and has evidenced a desire to place at the disposal of the Department of Justice all the money required properly to conduct this work. There are some matters connected with the expenditure of the money, however, which has made it necessary for Congress to keep a sharp watch upon it. In March, 1910, a very sharp controversy arose in the House as to the employment of Mr. Wade H. Ellis, of Ohio. It was announced that he had been separated from the service. On the 15th day of March, 1910, this discussion occurred in the House:

Mr. Cox of Ohio. Will the gentleman state to this House now that it was not understood at the time that Mr. Ellis was to tender his resignation that he was to be attached to the Department of Justice in the prosecution of trust cases? Will the gentleman deny that to this House?

Mr. LONGWORTH. I have no information of the details of the occurrence the gentleman mentions. I simply make the statement that Mr. Ellis is not in the employ of the Department of Justice or in any other Government department; that since the day he sent in his resignation he has not drawn a cent of salary, and will not draw any.

Mr. Cox of Ohio. Has there been a pay day since so that he could draw his salary?

Mr. LONGWORTH. I do not know about that. I know that he has not drawn a salary and that he is not going to.

And yet in a statement submitted to the Committee on Appropriations by the Attorney General and asking for a deficiency for this appropriation this year it appears on the 14th day of December, 1911, Mr. Wade H. Ellis was paid \$7,000 for services. The committee has recommended in the bill as it passed the House the money that it was believed the administration could beneficially expend in the proper conduct of the Government's work. It did not allow any to take care of political favorites or of lawyers whom it was necessary to place upon the pay roll in order to enable them to do political work for the administration. Unless the House desires to place \$100,000 more at the disposal of this administration for the purpose of enabling it more successfully to conduct its campaign, it will not agree to the motion offered by the gentleman from Illinois. [Applause on the Democratic side.]

Mr. CANNON. Mr. Speaker, the estimate made with the supplemental estimate coming from the Department of Justice formally transmitted calls for the service for the coming fiscal year, now the present fiscal year, \$300,000, to enforce the antitrust law. The gentleman representing the Democratic Committee on Appropriations recommends \$200,000. The deficiency bill, after a full hearing from the Attorney General, carries \$60,000 deficiency for the late fiscal year, making \$260,000 for the enforcement of the antitrust law for the year just passed. The estimates for this year, 1912-13, I say again, is \$300,000. The House passed it for \$200,000 and the Senate amends it by striking out \$200,000 and inserting \$300,000. The gentleman from New York says that this is an appropriation for the benefit of Republicans in the coming campaign. I deny it; and then he undertakes to muddy the water like the cuttlefish and swim away by saying that somebody said Wade H. Ellis some time or other got too large a fee. I am not discussing that question—I do not know; but I am discussing a live question. Ah, gentlemen, let us look into the facts. The gentleman from Georgia [Mr. BARTLETT], in 1904, when the Democrats were in the minority, made an appropriation, or it was made on his motion, of \$500,000 to enforce this law. It was a continuing appropriation, the solid Democratic side voting for it, and we all voted for it upon our side.

Now, when there is an estimate for \$300,000 for real service, it is cut to \$200,000. There has been much talk upon that side about the acquirement of the Tennessee Coal & Iron Co. by the United States Steel Corporation some years ago. Oh, you have torn passion to tatters about it. Under this administration litigation is pending to dissolve the United States Steel

Corporation. You have spent \$40,000 in making an investigation, and there is about to be born a report from the committee on investigation. Whoop-la! [Laughter.]

The SPEAKER. The time of the gentleman from Illinois [Mr. CANNON] has expired.

Mr. CANNON. Mr. Speaker, I would like to have five minutes more.

Mr. MANN. Mr. Speaker, I ask unanimous consent that my colleague may proceed for five minutes more.

The SPEAKER. The gentleman from Illinois [Mr. MANN] asks unanimous consent that his colleague [Mr. CANNON] may have five minutes more. Is there objection?

There was no objection.

Mr. CANNON. Gentlemen, the enforcement of the law on the part of President Taft is, following his oath, not only commendable, but is to be commended. Under the prosecutions the Standard Oil Co. and the Tobacco Trust have been dissolved. There is a competition, resulting in an increase in the price of tobacco that is raised—a real competition is resulting. And under a vigorous enforcement of this law you propose to go upon the stump and want to enforce the antitrust law, and yet you withhold an increase of the appropriation of \$100,000, asked for by the Attorney General and proposed by the Senate amendment, one of the best Attorneys General we have had in a generation. [Applause on the Republican side.] For one, gentlemen, in the enforcement of this righteous law that is being enforced I dare not vote against the proposition to concur in the Senate amendment. You may muddy the water; you may make an unfounded pretense that this appropriation is to be used in the coming elections, but you do not believe it, and there is nobody else who believes it. I want to say to you that if you withhold this appropriation you will impede the enforcement of the law, and will have to answer for it.

I think that is about all I can say in the short time allotted. I can not go into the details of various cases as to the enforcement of this law. But the country understands it. Do you want, pending the prosecution against the United States Steel Corporation to spend your \$40,000 in investigation and then cut off \$100,000 for the enforcement of the law? Do you want to pretend one thing, and, to use a very adequate word which a constituent of mine used, "pretend" another? That seems to be the position of my honorable friend from New York [Mr. FITZGERALD]. [Applause on the Republican side.]

Mr. Speaker, I wish I had time to speak of the enforcement of the law by the present administration. The President has kept his oath—to see that the laws are enforced.

The Standard Oil Co. and the Tobacco Trust organization have been dissolved by the decree of the Supreme Court of the United States.

The National Packing Co., formed by the various meat-packing companies, is being dissolved on their own motion.

The International Harvester Co. proposed to dissolve its combination of many companies alleged to be in restraint of trade, but the Attorney General claimed it did not go far enough and has brought on behalf of the United States an action to dissolve that combination and the case is pending for trial.

Many other combinations believed to be in restraint of commerce among the States are being proceeded against; while many other alleged unlawful combinations, fearing the enforcement of the law, are preparing to dissolve and comply with the law.

Mr. Speaker, in addition to all this, many combinations possible in restraint of trade are not being formed, seeing that if formed they will be proceeded against for violating the antitrust law.

Sir, this administration has accomplished more in enforcing the antitrust law than was accomplished under all administrations since the enactment of the law in the year 1890.

In conclusion, I say if this House, dominated by you Democrats, refuses to appropriate the money necessary to enforce this law, whether intended or not, it is in the interest of the trusts in restraint of trade.

You may investigate and report upon your investigations, but you have no power to enforce the law, and all your investigations and reports are "but as the sounding brass and the tinkling cymbal" unless you appropriate the money to enforce the law by and through the decrees and judgments of the courts.

Mr. STANLEY. Mr. Speaker, I have just heard the remarkable statement that this House has spent \$100,000 investigating the steel corporation. The gentleman missed it by over \$80,000.

Mr. CANNON. I beg the gentleman's pardon. It was an oversight on my part and I will make the correction. I was thinking of the total amount that had been expended.

Mr. STANLEY. The amount, however, is not so material. It would have been well spent had the Government spent \$200,000 instead of \$39,000. It is more useless, it is more illogical, for the gentleman to attempt to separate the investigation conducted by the committee investigating the affairs of the United States Steel Corporation and the petition filed by the Government than it is to say we spent \$100,000. The day that investigation was inaugurated the Commissioner of Corporations had, in black and white, given that corporation a clean bill of health. [Applause on the Democratic side.]

Mr. CANNON. Will the gentleman yield?

Mr. STANLEY. Certainly.

Mr. CANNON. Who was the Commissioner of Corporations?

Mr. STANLEY. Mr. Herbert Knox Smith.

Mr. CANNON. What has become of him?

Mr. STANLEY. Why, he has gone off after the bull moose. [Applause and laughter.] And it is a blessed thing that he is after the bull moose and that the bull moose is not after him, for he is, like Joey Bagstock, devilishly sly. He would never catch Mr. Smith.

That does not do you any good.

While Mr. Smith was Commissioner of Corporations under the bull moose administration, this letter was written under Mr. Taft's administration. He was Commissioner of Corporations until a week or two ago.

I do not care which horn of the dilemma you take. I am not settling disputes between the bull moose and the bull elephant. [Laughter on the Democratic side.] They both look alike to me. [Renewed laughter and applause.] The fact is that the Commissioner of Corporations had written to the President of the United States, stating that the syndicate which gave both of these concerns their birth was friendly, and that they could not afford to oppose it. The fact is that when the Commissioner of Corporations wrote that letter he had, according to Judge Gary's statement, a box car full of documents and statements showing that it was a guilty concern, as Mr. Herbert Knox Smith, by the investigations of this committee, was afterwards forced to admit.

Why, if you will take the petitions filed by the Government, you will find not one scintilla of proof, not one offense charged, that was not unearthed by that committee. You will not find an exhibit contained in those petitions that was not brought to light by that committee.

More than that, the gentleman that is conducting that suit—an able lawyer, and I do not wish to detract anything from his credit—will not deny that the facts upon which he relies were all brought out by this committee. [Applause on the Democratic side.]

What credit does a Commonwealth's attorney deserve who sits knowingly and silently by and sees the law violated time out of mind, and then when the streets are full of the cry of guilt, when some man has made it so apparent that he becomes particeps criminis if he does not act, he then reluctantly does his duty? [Applause on the Democratic side.]

Why, this administration, this Government, has no more right to claim that it voluntarily broke faith with its ancient ally—

The SPEAKER. The time of the gentleman has expired.

Mr. STANLEY. Mr. Speaker, I ask for five minutes more.

The SPEAKER. The gentleman from Kentucky [Mr. STANLEY] asks unanimous consent to speak for five minutes more. Is there objection?

There was no objection.

Mr. STANLEY. This administration, I say, can no more claim with consistency that it sought and attempted voluntarily, in order to prevent the destruction of competition, in order to prevent the dominance of trusts, to drag the Steel Trust to justice than Becker and Waldo in New York can claim that they were trying to break up gambling in the city of New York. [Applause on the Democratic side.]

Five years ago there was on file in your departments, in the Department of Justice and in the Bureau of Corporations of the Department of Commerce and Labor, the manifest, unquestioned, cumulative, overwhelming evidence that this corporation operated common carriers to the detriment of the public good, that it made railroad rates. Talk about rebates! Why, all the rebates that were ever received by Rockefeller, all the rebates of the Standard Oil, all the rebates of the Beef Trust, all the secret rates that were ever made or given can be piled into one huge mass and they will not equal the inordinate earnings that are made by the Steel Trust's roads in six months; and they knew it, and they suppressed the information concerning it. [Applause on the Democratic side.]

They had on file before them evidence of contracts in restraint of trade, that punished obedience to law with heavier fines than we punish violations of the law, and they suppressed it. [Applause on the Democratic side.]

The Steel Corporation, when it was prepared not to suppress competitors, but competition, over a domain extending from Ashland, Ky., to El Paso, Tex.; to throttle and destroy competition in a region whereon it never before maintained a foot of ground; when that monstrous conspiracy was hatching, they went overnight to the "man higher up" to know if they could get protection. The man to whom they went was Theodore Roosevelt, and they sent Frick and Gary to see him.

Mr. CANNON. Will the gentleman yield?

Mr. STANLEY. I will.

Mr. CANNON. If one-half of what the gentleman has stated is true, is not that a stronger argument than I could make in favor of concurring in the Senate amendment? [Applause on the Republican side.]

Mr. STANLEY. I think not. I see no use in paying a hundred thousand dollars more to enable your administration to lock the door after the horse is gone. [Applause on the Democratic side.]

The SPEAKER. The question is on the motion of the gentleman from Illinois [Mr. CANNON] to concur.

Mr. MANN. I ask for the yeas and nays, Mr. Speaker.

The yeas and nays were ordered.

The question was taken; and there were—yeas 99, nays 149, answered "present" 4, not voting 137, as follows:

YEAS—99.

Akin, N. Y.	Fuller	Lafferty	Rees
Ames	Gardner, N. J.	La Follette	Roberts, Mass.
Anderson, Minn.	Gillett	Lenroot	Rodenberg
Barchfield	Good	Lindbergh	Simmons
Bartholdt	Gray	Longworth	Sloan
Bates	Green, Iowa	McCall	Smith, Saml. W.
Bowman	Greene, Mass.	McKinley	Speer
Browning	Griest	McKinney	Steenerson
Burke, S. Dak.	Guernsey	McLaughlin	Stephens, Cal.
Burke, Wis.	Hanna	McMorran	Sterling
Calder	Hartman	Mann	Stevens, Minn.
Cannon	Hadgen	Miller	Suloway
Copley	Hawley	Mondell	Switzer
Crago	Heald	Moore, Pa.	Taylor, Ohio
Crumpacker	Helgesen	Mott	Tilson
Danforth	Hill	Needham	Towner
Davis, Minn.	Howell	Neeley	Uttor
De Forest	Howland	Norris	Volstead
Draper	Hughes, W. Va.	Patton, Pa.	Wedemeyer
Driscoll, M. E.	Humphrey, Wash.	Payne	Willis
Dwight	Kahn	Pickett	Wilson, Ill.
Fairchild	Kendall	Plumley	Woods, Iowa
Farr	Kennedy	Pray	Young, Kans.
Foss	Kinkaid, Nebr.	Prince	Young, Mich.
French	Knowland	Prouty	

NAYS—149.

Adair	Driscoll, D. A.	Johnson, Ky.	Reilly
Adamson	Estopinal	Johnson, S. C.	Robinson
Alexander	Evans	Jones	Rouse
Allen	Fergusson	Kent	Rubey
Anderson, Ohio	Finley	Kitchin	Russell
Ansberry	Fitzgerald	Konig	Sabath
Ashbrook	Flood, Va.	Korbly	Saunders
Ayres	Floyd, Ark.	Lamb	Scully
Bathrick	Foster	Lee, Ga.	Shackelford
Beall, Tex.	Fowler	Lee, Pa.	Sharp
Berger	Francis	Lever	Sims
Blackmon	Gallagher	Levy	Sisson
Boehne	George	Linthicum	Slayden
Brantley	Godwin, N. C.	Littlepage	Smith, Tex.
Brown	Goeke	Lloyd	Stanley
Buchanan	Goldfogle	McCoy	Stedman
Bulkley	Goodwin, Ark.	McDermott	Stephens, Nebr.
Burleson	Graham	McGillcuddy	Stephens, Tex.
Burnett	Gregg, Pa.	McKellar	Stone
Byrnes, Tenn.	Gregg, Tex.	Maguire, Nebr.	Sulzer
Candler	Gudger	Maher	Sweet
Carlin	Hamill	Martin, Colo.	Taggart
Claypool	Hamlin	Morrison	Talcott, N. Y.
Clayton	Hammond	Moss, Ind.	Thayer
Cline	Hardy	Murray	Townsend
Connell	Harrison, Miss.	Oldfield	Tribble
Cox, Ind.	Harrison, N. Y.	O'Shaunessy	Tuttle
Cullop	Hay	Padgett	Underhill
Curley	Hayden	Page	Underwood
Davis, W. Va.	Hefflin	Palmer	Watkins
Dent	Henry, Tex.	Pepper	Webb
Denver	Hensley	Peters	White
Dickinson	Holland	Post	Wilson, N. Y.
Diffenderfer	Houston	Pou	Wilson, Pa.
Dixon, Ind.	Howard	Rainey	Witherspoon
Donohoe	Hull	Raker	
Doremus	Humphreys, Miss.	Ransdell, La.	
Doughton	Jacoway	Rauch	

ANSWERED "PRESENT"—4.

Mays	Parran	Riordan	Sparkman
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NOT VOTING—137.

Aiken, S. C.	Bradley	Cary	Curry
Ainey	Broussard	Catlin	Dalzell
Andrus	Burgess	Clark, Fla.	Daugherty
Anthony	Burke, Pa.	Collier	Davenport
Austin	Butler	Conry	Davidson
Barnhart	Byrnes, S. C.	Cooper	Dickson, Miss.
Bartlett	Callaway	Covington	Dies
Bell, Ga.	Campbell	Cox, Ohio	Dodds
Booher	Cantrill	Cravens	Dupré
Borland	Carter	Currier	Dyer

Edwards	Hughes, N. J.	Moon, Pa.	Sherwood
Ellerbe	Jackson	Moon, Tenn.	Slemp
Esch	James	Moore, Tex.	Small
Faison	Kindred	Morgan	Smith, J. M. C.
Ferris	Kinkaid, N. J.	Morse, Wis.	Smith, Cal.
Fields	Konop	Murdock	Smith, N. Y.
Focht	Kopp	Nelson	Stack
Fordney	Lafean	Nye	Stephens, Miss.
Fornes	Langham	Olmsted	Talbot, Md.
Gardner, Mass.	Langley	Patten, N. Y.	Taylor, Ala.
Garner	Lawrence	Porter	Taylor, Colo.
Garrett	Legare	Powers	Thistlewood
Glass	Lewis	Pujo	Thomas
Gould	Lindsay	Randell, Tex.	Turnbull
Hamilton, Mich.	Littleton	Redfield	Vare
Hamilton, W. Va.	Lobeck	Reynolds	Vreeland
Hardwick	Loud	Richardson	Warburton
Harris	McCreary	Roberts, Nev.	Weeks
Hayes	McGuire, Okla.	Roddenberry	Whitacre
Helm	McHenry	Rothermel	Wilder
Henry, Conn.	McKenzie	Rucker, Colo.	Wood, N. J.
Higgins	Macon	Rucker, Mo.	Young, Tex.
Hinds	Madden	Sells	
Hobson	Martin, S. Dak.	Sheppard	
Hughes, Ga.	Matthews	Sherley	

So the motion to concur was not agreed to.

The following additional pairs were announced:
Until further notice:

Mr. PATTEN of New York with Mr. LAWRENCE.

Mr. CANTRILL with Mr. CURRY.

Mr. CARTER with Mr. AUSTIN.

Mr. HUGHES of New Jersey with Mr. FOCHT.

Mr. HELM with Mr. MATTHEWS.

Mr. CALLAWAY with Mr. VARE.

The result of the vote was then announced as above recorded.
Mr. FITZGERALD. Mr. Speaker, I move that the House ask for a conference with the Senate.

The motion was agreed to.

The SPEAKER appointed as conferees on the part of the House Mr. FITZGERALD, Mr. SHERLEY, and Mr. CANNON.

SLAVERY IN PERU.

Mr. SULZER. Mr. Speaker, by direction of the Committee on Foreign Affairs, I report the following privileged resolution and ask to have it read and move its adoption.

The Clerk read as follows:

House resolution 649 (H. Rept. 1124).

Resolved, That the Secretary of State be directed, if not incompatible with the public interest, to transmit to the House of Representatives all information in the possession of his department concerning the alleged existence of slavery in Peru, and especially all information tending to show the truth or falsity of the following statement made in an editorial in the London Times of July 15, 1912: "The Bluebook shows that in an immense territory which Peru professes to govern the worst evils of the plantation slavery which our forefathers labored to suppress are at this moment equalled or surpassed. They are so horrible that they might seem incredible were their existence supported by less trustworthy evidence."

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

DUTIES ON WOOL.

Mr. UNDERWOOD. Mr. Speaker, I move to take from the Speaker's table the bill H. R. 22195, the bill reducing the duties on wool and manufactures of wool, and agree to the conference asked for by the Senate.

The SPEAKER. The gentleman from Alabama asks unanimous consent to take from the Speaker's table the bill (H. R. 22195) reducing the duties on wool and the manufactures of wool, and agree to the conference asked for by the Senate.

The motion was agreed to.

The SPEAKER appointed as conferees on the part of the House Mr. UNDERWOOD, Mr. SHACKLEFORD, and Mr. PAYNE.

DUTIES ON MANUFACTURES OF COTTON.

Mr. UNDERWOOD. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 25034, a bill to reduce the duties on the manufactures of cotton, and, pending that motion, I ask unanimous consent that all gentlemen who speak on the bill may have permission of the House to extend their remarks in the RECORD for five legislative days after the completion of the bill.

The SPEAKER. The gentleman from Alabama moves that the House resolve itself into Committee of the Whole House on the state of the Union to consider House bill 25034, reducing the duties on manufactures of cotton, and, pending that, he asks that all gentlemen who speak on the bill may have five legislative days in which to extend remarks on the bill. Is there objection to the request?

There was no objection.

The motion of Mr. UNDERWOOD was then agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. CURLEY in the chair.

Mr. CURLEY took the chair amid general applause.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 25034) to reduce the duties on manufactures of cotton, and the Clerk will report the bill.

The Clerk read the title of the bill, as follows:

A bill (H. R. 25034) to reduce the duties on manufactures of cotton.

Mr. UNDERWOOD. Mr. Chairman, I ask unanimous consent to dispense with the first reading of the bill.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to dispense with the first reading of the bill. Is there objection?

There was no objection.

Mr. UNDERWOOD. Mr. Chairman, I understand that the gentleman from Ohio [Mr. LONGWORTH] wishes to make a short statement, and I yield to him.

Mr. LONGWORTH. Mr. Speaker, a few moments ago the gentleman from New York [Mr. FITZGERALD] referred to a colloquy had about two years ago between the gentleman from Ohio [Mr. Cox] and myself. The gentleman from New York questioned the accuracy of a statement I made that Mr. Wade H. Ellis was not at that time drawing any pay from the Government. I simply desire to refer to the letter by the Attorney General on that subject, in which the following sentence occurs:

Mr. LONGWORTH's statements are entirely accurate.

This letter was written in response to a request from the gentleman from Illinois [Mr. MANN] to be informed as to the facts in the case, and contains a full account of Mr. Ellis's connection with the Department of Justice. It appears on page 8435 of the Record of June 21, 1912. I think, in justice to Mr. Ellis, that I ought to make this statement.

Mr. UNDERWOOD. Mr. Chairman, it is a late hour and I do not desire to detain the House for a long discussion of this bill at this time. I think it but just to myself and to the Democratic members of the Ways and Means Committee that I should place in the Record at least the statement of why we do not amend a bill that we passed in the House a year ago after the report that has been made by the Tariff Board. I have a statement here, and instead of taking up the time of the House in making a speech upon it at this time, I shall avail myself of the general leave to print and print it in the Record. It is as follows:

Mr. Chairman, as was done with the wool report of the Tariff Board, the Ways and Means Committee has made a careful analysis of the cotton report transmitted to Congress by the President in his message of March 26, 1912. This analysis was made, and the results are being presented to the House because the President based his veto of the cotton bill of last session largely on the ground that the Tariff Board had not reported, and since he so strongly called attention in his message of March 26, 1912, to the value of the cotton report. This is the only additional information on cotton that has become available since the President's veto of last year, and in view of these conditions the committee has thought it proper to ascertain the findings of the Tariff Board in regard to cotton manufactures and to secure all possible benefit therefrom. The result of the committee's analysis of this cotton report affords the committee no ground for changing the duties on manufactures of cotton fixed in the bill passed by the House August 3, 1911. This will appear from the following summarization of the analysis of the report made by the committee:

1. The document has been prepared upon a basis quite different from that employed in the wool report, as the cotton report contains less costs on foreign goods and places a much larger reliance on foreign prices as a basis of comparison.

2. Could the data as to prices employed by the board in making the comparisons between the United States and foreign countries be accepted, it must be concluded that cotton goods can be sold on quite as low a basis in the United States as abroad. The apparent exception to this, according to the board, is found in the case of hosiery and knit goods, and for these goods quite inadequate data are presented.

3. The comparative data presented by the board do not cover the complete cotton schedule, but relate only to yarn, cloth, hosiery and knit goods, and to the cloth-finishing processes. No comparative data are presented for many of the items contained in paragraphs 5, 6, 7, 8, 9, 12, 13, 14, 15, and 16 of H. R. 25034. (See Appendix.) So imperfect and fragmentary are the few comparative data presented that no safe conclusions can be drawn therefrom with regard to fixing tariff rates. It is impracticable to check the alleged findings of the Tariff Board

or the results reached from an analysis of its imperfect data against the rates presented in H. R. 25034.

4. The bill H. R. 12812, now H. R. 25034, was not framed with any protective purpose in mind, but with the view only to raising the maximum amount of revenue in keeping with a proper safeguarding of the consumers' interests.

5. So far as conclusions may be drawn from the Tariff Board's report, it shows that the excessive tariff duties are exerting a peculiarly harmful effect in maintaining a system of unnecessarily high prices to the consumer in the United States. The immediate remedy for this condition of affairs is the reduction of the rates which have rendered possible this system of extortion.

6. The board reaches the conclusions of the Democratic Members of Congress in 1909 and since with reference to the Payne-Aldrich revision of the cotton schedule.

CHARACTER OF REPORT.

In submitting the report to Congress, President Taft appears to have been of the opinion that the board's report supplied data necessary to serve as a basis for fixing new rates of duty on cotton manufactures. It has, however, been found that the document supplies information only with respect to paragraphs 1, 2, 3, 10, 11, 12, and 14 of the cotton schedule as numbered in the bill H. R. 25034. It fails to supply complete data covering the items in paragraphs 5, 6, 7, 8, 9, 12, 13, 15, and 16. Thus the data are found quite imperfect for a complete study of the cotton schedule. But it may be stated by gentlemen on the other side of the Chamber that it is not necessary to have the facts as to every paragraph or grouping throughout a tariff schedule; that the necessary material is that which supplies information as to cost of the chief items in the schedule, and that when this has been furnished it is possible to infer the rates on items that have not been included. This is based on the ground that the difference in cost or in conditions of production and sale of goods are about the same in all classes of articles. A superficial warrant for this argument might be found if it were true that the reports of the board show throughout a uniform variation in costs; that is to say, that if it appears that on yarn, cloths, tapestries, and so forth, the difference were of about the same range and description. This, however, is not the case. The board show that there is a maximum difference of about 13 per cent in the cost of production of cotton yarns of specified numbers between this country and England. But it also shows that there is no difference between the two countries in the cost of producing certain of the coarser cotton cloths. On the other hand, it shows that knit goods are enormously higher in cost here than abroad, and it suggests that the rates of duty be fixed to correspond. Nothing is therefore clearer from the report of the board than that there is no uniformity in these costs or prices, as the case may be, between the two countries. If, therefore, data are supplied for each of the items in the tariff schedule, it may fairly be stated that he who would fix rates of duty on the basis of the board's report must be entirely at sea much of the time, inasmuch as he not only has not received the data required, but must be convinced from a reading of the report that on these items, concerning which no comparative figures of costs or prices are presented, he has no basis even of an inferential character for the fixing of the rates to be levied on the goods.

Let us be perfectly frank about this matter, therefore, and admit that even those who claim that the board's work affords a foundation for the establishment of tariff duties can not profess to revise the tariff in more than a very few paragraphs by the use of the data furnished in the board's report. When they have used the figures given in the report for the purpose of guiding them in the establishment of rates on a few of the items, they will still be as much as ever in the dark concerning the rates that must be fixed upon the other items concerning which nothing whatever has been said. The report is therefore imperfect, incomplete, even if it were true that the figures actually furnished could be accepted as an absolute guide in the establishment of duties.

USE OF REPORT BY COMMITTEE.

The Committee on Ways and Means is under the necessity of formulating a bill which shall establish rates upon each item, without exception, throughout the whole schedule. It can not establish rates upon a few items and then say "We have no information as to the remainder of this schedule, but we believe it might possibly be so and so"; it must attempt to arrange the rates of duty upon some general and self-consistent basis. It must seek to make this basis as fair throughout and to adjust its prices to one another as well and as equitably as conditions will permit. Suppose that the committee were to accept the report of the Tariff Board, with the information on a very few paragraphs, as being the absolute guide for the establishment

of rates. How would it go to work to fix the other paragraphs of the tariff? It could not do so on the basis of its previously established information, because that points to an entirely different basis of duties. It could not arrive at the proper basis for the tariff rates on items which are not treated because it has no access to the Tariff Board's material, and the board itself has refused additional information whenever it has been asked to supply it. If, therefore, the basis that has been furnished it for the remodeling of the duties is absolutely out of the question because of its incompleteness, whatever may be thought of it from any other standpoint, it is clear that a revision of the tariff based upon this report would be impossible.

PRESENT RATES INTOLERABLE.

It is generally conceded that the rates of the present law are inequitable and intolerable. President Taft practically admits that in so many words. He says they are too high and should be cut down. Every other student of the cotton schedule recognizes the same fact. Every man who has had the slightest intimate knowledge of the trade admits that such is the case. The Ways and Means Committee was convinced of the situation after its investigation of last summer. It is now urged by the President of the United States who vetoed the cotton bill which was sent him, to prepare another cotton bill and to submit it for his signature. With such general agreement that the present rates are not what they should be, argument is very strong in favor of making a change. Evidently the Tariff Board's report has had an immediate effect upon the mind of the President, since it has convinced him that the time has come for altering the rates of duty, a fact which he has never before conceded. The Ways and Means Committee is therefore in the position of having offered a bill complete in its terms, based upon such careful investigation as it can give, and having on its side the fact that the present rates have been found to be intolerable and absurd, so that there is some reason to believe that the President who vetoed the schedule once might not do so were it offered to him again. On the other hand, the committee finds itself unable, even if it chose to do so, to fix rates upon a basis corresponding to what the board has suggested for the reasons already stated—the incompleteness of the work done by the board.

FORMER BILL INEVITABLE.

All of these facts make the reintroduction of the bill of last summer absolutely inevitable, from any serious or fair-minded standpoint. The committee then honestly believed that the rates fixed in the bill were the best they could get. It has had no information submitted to it since then that could be used as a foundation for establishing new rates. Taking the bill as a whole, the minds of the members of the committee are exactly in the same attitude as they were before reading this report. Called upon for the presentation of a new measure, there is nothing that they can do except to present once more the schedule of rates which, in their judgment, would constitute an improvement over existing conditions and which is justified by the investigation they have carried out.

There is the more reason for adopting this course of action since in the cotton report of the Tariff Board, as in its report on wool, there is nothing to show absolute rates of duty, and its remarks are so general, in this case as in the other, as to leave open a large field for conjecture and difference of opinion, even regarding the duties to be applied to those particular commodities upon which information has been more fully supplied. The reintroduction of the old bill is therefore not only the inevitable result but the course which answers to the dictates of reason and of the information possessed by the members of the committee at the present time. We believe that the bill passed by the House last summer and now again presented will be a great relief from the existing conditions, which have been so severely criticized, not only by the Tariff Board, but by every other investigator. We say to the country: You know from present conditions that they are unsatisfactory; you have been told by the present Tariff Board that existing methods can not safely continue, although the board have not indicated any substitute for them. Will you then try the measure which we have worked out with care, and which we believe to be of a nature to as fully as possible safeguard the interests of all those who are interested in cotton goods, either as producers, consumers, or traders?

AUTHORITY OF BOARD'S REPORT.

In all that I have said up to this point I have been speaking as if the authority of the board's report could not be questioned. I have assumed that the facts set forth in it were unmistakably accurate. But this assumption is an assumption only, and I do not believe it to be founded upon fact. An examination of the board's report has led me to believe that while the report is more complete than its predecessor on wool, it does not show

any considerable gain in method of treatment. In many points it is less satisfactory than the wool report. Although President Taft has spoken at some length of the necessity of getting comparative costs of production on cotton cloth, this report does not afford them. It is a startling statement, but a true one, that the report itself does not contain a single cost actually obtained from foreign textile mills by agents of the board. The only actual cost afforded in the report is a collection of figures purporting to represent the cost of production in certain yarn mills in a small district in Lancashire. In offering these costs for seven or eight English yarn mills the board has acted in a way which is misleading and deceptive. Although it leaves upon the reader's mind the impression that the costs were obtained in these mills by the same method that was followed in the United States, this turns out not to have been the case. These costs, if they may be called such, were obtained by purchase from a third person.

The board has not been able to furnish the names of the mills; and about all that can be said, even when language has been restrained, is that the board has presented, as if they were actual data, figures which they obtained from a source unknown to the Ways and Means Committee and to the accuracy of which data the Tariff Board had no absolute or positive assurance. This, under any circumstances, would have been an unworthy act and, it should be added, a perfectly unnecessary one. There is no reason whatever why the source of the data should not have been stated in the report, in order that the reader might be left to judge of the authority with which the figures had been given. It is evident that those who have been urging the Tariff Board as a means of investigation would not take kindly to the belief that the board was accepting as facts material supplied to it by other persons, not in its employ and whose methods are not known, concerning mills whose operations differ a good deal among themselves, and whose names are not known to the board itself.

In this connection, I submit the following correspondence between the Ways and Means Committee and the Tariff Board:

APRIL 20, 1912.

HON. HENRY C. EMERY,

Chairman the Tariff Board, Washington, D. C.

SIR: In examining the proof sheets of the report of your board on cotton manufactures, I find that the English figures for manufacturing costs of yarn were obtained from eight mills, but I fail to find the names and locations of these mills or any explanation of the method by which these English costs were computed. May I obtain from you in this connection the information covered by the following inquiries?

- (1) Were the manufacturing cost figures of yarn obtained from the mills in any foreign country except the eight English mills referred to in the report?
- (2) Were the manufacturing costs of yarn in the eight English mills taken directly from the books of the mills by agents of the Tariff Board; if not, how were they secured?
- (3) Were the yarn cost figures secured on the same schedule form in English mills as from the mills of the United States?
- (4) What method was employed in apportioning the cost among the different kinds and numbers of yarns examined in the English mills?
- (5) From what source or sources were the 100 cotton-cloth samples submitted with the board's report obtained?
- (6) From what source or sources were the cost figures which are associated with these cloth samples obtained?

These data will be of great assistance to the Ways and Means Committee in its examination of the board's cotton report, and I shall appreciate an early reply to this letter.

Yours, very truly,

THE TARIFF BOARD,
Washington, April 23, 1912.

HON. OSCAR W. UNDERWOOD,

*Chairman Committee on Ways and Means,
House of Representatives.*

SIR: I have the honor to acknowledge the receipt of your letter of the 20th instant, in which you refer to the omission of the names and locations of the English mills in the cotton report of the Tariff Board.

In reply I beg to state that the information was obtained with considerable difficulty, on the condition that the names of the mills and the sources of the information were to be treated in the strictest confidence. Hence the omission of the names of the mills in the report of the board. The location for all the mills is, however, indicated on page 415 of the report as being in Lancashire.

Answering your specific questions, I will say in reply:

1. In view of the limited time at the disposal of the board, it was impossible to obtain the cost of production in all foreign countries. As explained in the report, the board confined its efforts for that reason chiefly to England as the largest producer and the strongest competitor of the United States both in our own and in foreign markets. Owing to the extremely low wages prevailing in Japan, the latter has been reputed to be a country of exceptionally low costs and a dangerous potential competitor of the United States. For that reason the investigation was extended also to that country, the results of which are given on pages 519 to 531 of the report of the board.
2. The manufacturing costs of yarn in the English mills were taken directly from the books of the mills by sworn chartered accountants and checked by another set of sworn chartered accountants.
3. The cost figures secured by these chartered accountants for a complete year's operation were transferred to our schedule forms as used for American mills, except that productive and nonproductive labor, which are given separately for the American mills, were combined under one head, "labor," in the English mills.

4. The same method was employed in apportioning the costs among the different kinds and numbers of yarn manufactured in English mills as was followed in the case of American mills. The method is described in detail on pages 371-379 of the report of the board. The work of apportioning the costs was carried out at the office of the Tariff Board by the same members of the staff of the board who apportioned the costs for the American mills.

5. The 100 cotton-cloth samples submitted with the board's report were obtained by two of the board's agents, Mr. R. K. MacLea and Mr. W. A. Graham-Clark, as explained on page 534 of the report, by visiting a number of the largest and most important jobbing houses in the country, in New York, Chicago, and St. Louis, using the schedules reproduced on pages 535 and 536 of the board's report. As explained on pages 542 and 543, the 100 samples are typical of several thousand varieties of cotton cloth falling under the different classes described. In no case were the agents satisfied with the statement or figure given by any one jobber, always having them checked by other concerns which they visited, so as to make sure that the samples selected were thoroughly representative of the great bulk of cotton cloths handled by the distributing trade of the country.

6. The cost figures for the 100 samples were secured from the mills visited in connection with the general cost investigation. In the case of every mill investigated the entire costs incurred in the production of the mill and all of its products were noted. The costs of the cloths were worked out, as explained in the report of the board, independently of the mill's own figures for all of its cloths. Whenever a mill was found to manufacture a cloth of the identical construction as one or more of the samples secured from the trade sources, these costs were tabulated to form Table 212 of the report. This table therefore gives the costs of each of the 100 samples in every one of the mills which was found to manufacture cloths of that construction.

Very truly, yours,

H. C. EMERY, *Chairman.*

Even under direct inquiries of the Ways and Means Committee in regard to the method of securing the English costs, the chairman of the Tariff Board did not see fit to give the facts, which were, however, brought out in the recent hearings before the Appropriations Committee on the sundry civil appropriation bill. The record is as follows:

Mr. SHERLEY. I want to know whether in making such investigations you have purchased the results of investigations made by any individual rather than have an original made by the employees of the board?

Mr. EMERY. We have in one or two cases purchased reports of investigations, but made by other sources than our own, which were unpublished and therefore hitherto unavailable, but these investigations were not made for Government purposes.

Mr. SHERLEY. Will you indicate in your statement just how extensively information has been obtained that way?

Mr. EMERY. Yes, sir. The only instance of any importance was that referred to above, where we paid a small sum for a report on costs based on an investigation made by sworn accountants for industrial purposes and never submitted to the Government.

I do not think I overstep the limit of conservative expression when I say that the presentation of these data in the way I have indicated shows a gross breach of propriety and entirely ignores the responsibilities that rest upon the organization in its present investigation, besides showing a lack of sincerity toward the public. Consider carefully the fact that the board's report is theoretical and comparison of costs between the United States and foreign countries is impossible; that no costs are presented for any foreign country except one, Great Britain, and that in that country actual costs are presented only for one item of production, yarn, and that even the yarn costs are confined to a very few numbers. Add to this the fact that the costs which the board professes to offer on this point and which supposedly are the result of actual investigation were obtained from unknown sources and relate to mills whose names can not be furnished and you have the measure of uncertainty, not to say duplicity, of the board. This one fact alone should be sufficient to discredit the whole report.

QUESTION OF SAMPLES.

The board, however, has offered what by some are regarded as costs of sample fabrics that have been compiled for the purpose of making comparisons between the United States and England in regard to the manufacture of cloths. These costs on samples were obtained nominally by taking the samples to the different mills and getting the mill proprietors to estimate the cost of turning out the goods. Inasmuch as each of the samples was made, so it is claimed, in at least one of the mills which were investigated, it is supposed that information was obtained which would warrant a satisfactory checking of the estimated costs on items supplied by the other mills. There is nothing in this assumption, even if it were correct, that could in the remotest way warrant the belief that data had been obtained sufficient to furnish an index of the actual cost of the samples in question. The board's report shows very great divergencies in every item between different classes of mills. It furnishes no information whatever as to whether the mill which actually made the sample in a given case was one of the more efficient, less efficient, or ordinarily efficient establishments. If it was one of the first-named class and had therefore held a high competitive rank by reason of the efficiency of its production, the information obtained from other mills could not serve as a check upon the figures supplied by this mill in any sense of the word. If the mill itself was not an average mill, data concerning the operations of more or less efficient establish-

ments could be of service only in reaching the average cost. They would, theoretically, have been of service in that connection if they had been obtained from mills that actually made the cloth sample and if they had been taken direct from the records of these mills. But neither of these conditions was established, and therefore they can under no circumstances be regarded as meeting the requirements of the case already laid down. They are in no sense a check upon the figures obtained from the mill which reported itself as actually making the cloth sample.

INADEQUATE FOREIGN INVESTIGATION.

In fact, the slightest scrutiny of the foreign investigation carried out by the board shows what a farce it all was. So far as can be learned, the board did not send agents abroad to get any information on cotton until the latter part of May, 1911. Yet these agents who were sent to Europe furnished no data that have been used in regard to the cotton-cloth paragraphs for any country except Great Britain, and even as to Great Britain their data have been limited in the way already described. The experts returned to the United States before the end of September, so that they were at work in Great Britain little more than three months. It could not be expected that within that length of time two men—for that is all the board sent to England—could make very extensive studies.

QUESTION OF DOMESTIC COST.

Reduced to its actual scope, the board's report is merely an analysis of the outlays of a certain number of mills in the United States which have been taken as representative and whose figures have been compiled to show the amount of outlay necessary for the production of specified classes of fabrics. Here again we have the same difficulty that was experienced in connection with the wool report—that of dividing the outlays of the mills between the different products turned out by these mills. It is worth while to note that the board adopts a different method in this case for distributing the cost from that which seems to have been adopted in the wool report for the distribution of the costs there. Which method shall be accepted as correct? It is evident that both can not be, and when one is accepted, the other is necessarily rejected. The cost analysis which the board presented for cotton-yarn mills is anything but convincing, and is admittedly different from the method which is employed by the mills themselves and described by the board as rough or approximate. Yet its own methods of distributing costs are exceedingly rough and can be considered approximate only when the methods of work adopted are understood and accepted. There is no real ground for believing that this method of distribution can be defended from the standpoint of cost accounting. Certainly the board submits nothing to warrant the belief that such a defense can be successfully offered. It is true, therefore, that, in the case of cotton, all the general facts tending to prevent the use of the cost method as a guide in the establishment of tariff rates, which were set forth in connection with the report on wool, hold as true of this report on cotton as they did of its predecessor.

QUESTION OF PRICES.

There is one feature of the report to which I think I ought to draw attention. We complained of the report on wool because it paid so little heed to the actual prices for woolen goods ruling at the time in the United States and foreign countries. The board has apparently attempted to meet this point by furnishing price figures showing quotations for cloth of various kinds in Great Britain and in this country. These quotations have been compiled through jobbers for the purpose of indicating the comparative rate at which the goods left the mill in the two countries which are being studied. It is interesting to observe that in every case where this plan is followed by the board the preponderating number of cloth samples show lower mill prices in the United States than in England. But that is not all. It would seem that the fabrics for which prices were thus obtained could not be exactly matched abroad. The prices furnished, therefore, are prices on two different classes of fabrics in Great Britain and the United States in at least a considerable proportion of the total number of samples. So far as the samples themselves differ, the estimates of cost relating to them must be considered as being correspondingly reduced in value. For purposes of close comparison of competitive conditions, they are, of course, worthless. Further, the fact already referred to that the estimates were obtained under very different conditions in the two countries would largely vitiate their validity under any circumstances.

To supplement what I have said, Mr. Chairman, I desire to say further that the bill that is now pending before the House is the identical bill that was passed by this House a year ago, passed by the Senate of the United States, and vetoed by the President. Under the Payne-Aldrich tariff act the imports

upon this schedule amounted to \$28,417,441. The estimated imports under the bill that is presented to the House will amount to \$39,163,800. The revenue obtained under this schedule for 1910, the year that the Payne bill was passed, under the Payne bill, amounted to \$13,673,801. The estimated revenue under this bill will amount to \$10,599,000, or an estimated loss of revenue of a little more than \$1,000,000. The average ad valorem rate under the Payne bill in 1910, the year it was passed, amounted to 48.12 per cent. The estimated ad valorem rate under this bill will amount to 27 per cent. The burden of taxes that will rest upon the American people from the passage of this bill will be in the neighborhood of one-half of what it is under the present law. There will be entailed on the Treasury a loss of only about \$1,000,000, if our estimates are correct. I believe that the bill is conservative in its reduction, that it is safe, that it will not endanger any business interest that is involved in the manufacture of cotton goods; and yet I believe it will be a very great relief from the present burdens of taxation of the American people if it becomes a law. For that reason I shall favor its passage.

Mr. HILL. Mr. Chairman, I understand that the gentleman proposes to go ahead with the consideration of this bill at 12 o'clock to-morrow?

Mr. UNDERWOOD. That is my expectation, if I can make an arrangement with gentlemen who have business before the House at that time. If not, we will take it up on Saturday.

Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CURLEY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 25034, to revise the cotton schedule, and had come to no resolution thereon.

ADJOURNMENT.

Mr. UNDERWOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 53 minutes p. m.) the House adjourned until to-morrow, Friday, August 2, 1912, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. ASHBROOK, from the Committee on Coinage, Weights, and Measures, to which was referred the bill (H. R. 23113) to fix the standard barrel for fruits and vegetables, reported the same with amendment, accompanied by a report (No. 1120), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. PEPPER, from the Committee on Military Affairs, to which was referred the bill (H. R. 19191) for the relief of Christian H. Hedges, reported the same with amendments, accompanied by a report (No. 1121), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. TAYLOR of Colorado: A bill (H. R. 26082) establishing the Lincoln memorial highway from Boston, Mass., to San Francisco, Cal.; to the Committee on Agriculture.

By Mr. FLOOD of Virginia: A bill (H. R. 26083) to establish agricultural-extension departments in connection with the agricultural colleges and high schools in the several States receiving the benefits of an act of Congress approved July 2, 1862, and of acts supplementary thereto; to the Committee on Agriculture.

By Mr. LAFFERTY: A bill (H. R. 26084) to amend section 1 of an act entitled "An act to provide for determining the heirs of deceased Indians, for the disposition and sale of allotments of deceased Indians, for the leasing of allotments, and for other purposes," approved June 25, 1910; to the Committee on Indian Affairs.

By Mr. GARDNER of Massachusetts: A bill (H. R. 26085) to provide badges and ribbons for officers and men now or formerly of the Volunteer and Regular Army who participated in engagements or campaigns deemed worthy of such commemoration; to the Committee on Military Affairs.

By Mr. BROUSSARD: A bill (H. R. 26086) to confer jurisdiction in certain suits and proceedings to the Commerce Court; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. AYRES (by request): A bill (H. R. 26087) for the relief of William W. Case and Mattie E. Case; to the Committee on Claims.

By Mr. DICKINSON: A bill (H. R. 26088) granting a pension to Thompson P. McCluney; to the Committee on Invalid Pensions.

By Mr. FRENCH: A bill (H. R. 26089) granting a pension to George W. Smith, alias George Smith; to the Committee on Pensions.

By Mr. HILL: A bill (H. R. 26090) granting a pension to Lucy K. Simons; to the Committee on Invalid Pensions.

By Mr. HOWLAND: A bill (H. R. 26091) granting a pension to Emily A. Pinney; to the Committee on Invalid Pensions.

By Mr. POST: A bill (H. R. 26092) granting an increase of pension to James W. Howell; to the Committee on Invalid Pensions.

By Mr. REES: A bill (H. R. 26093) granting an increase of pension to James E. Gleason; to the Committee on Invalid Pensions.

By Mr. RUBEY: A bill (H. R. 26094) granting a pension to Sophie Stephan; to the Committee on Invalid Pensions.

By Mr. SPARKMAN: A bill (H. R. 26095) granting an increase of pension to Robert F. Prescott; to the Committee on Pensions.

Also, a bill (H. R. 26096) granting an increase of pension to Sarah J. Wood; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of Francis Tracy Tobin, of Philadelphia, Pa., relative to impeachment proceedings of Hon. Daniel Thew Wright, associate justice of the Supreme Court for the District of Columbia; to the Committee on the Judiciary.

By Mr. AYRES: Petition of the Inventors' Guild of New York City, favoring commission to investigate the subject of patents; to the Committee on Patents.

By Mr. DRAPER: Memorial of the Inventors' Guild of New York City, favoring appointment of a commission to consider the patent system of the United States; to the Committee on Patents.

By Mr. FORNES: Memorial of the Inventors' Guild of New York City, favoring commission to investigate the patent system of the United States; to the Committee on Patents.

Also, petition of the Postal Progress League of New York City, against passage of the Bourne parcel-post bill; to the Committee on the Post Office and Post Roads.

By Mr. FULLER: Petition of the General Roofing Manufacturing Co., of Marseilles, Ill., against the passage of the Bourne parcel-post bill; to the Committee on the Post Office and Post Roads.

By Mr. LINDSAY: Petition of De Cappel & Doremus, of New York City, favoring passage of bill to provide additional aids to navigation; to the Committee on the Merchant Marine and Fisheries.

Also, memorial of the Inventors' Guild of New York City, favoring appointment of a commission to consider the patent system of the United States; to the Committee on Patents.

Also, petition of the National Liberal Immigration League, of New York City, favoring building two battleships; to the Committee on Naval Affairs.

By Mr. MONDELL: Petitions of citizens of Wyoming against passage of a parcel-post system; to the Committee on the Post Office and Post Roads.

By Mr. PARRAN: Memorial of Active Council, No. 617, and Southwark Council, No. 144, Order of Independent Americans, of Philadelphia, Pa., favoring passage of House bill 25309, requiring the flag of the United States to be displayed on all lighthouses of the United States and insular possessions; to the Committee on Interstate and Foreign Commerce.

Also, petition of 43 citizens of the State of Maryland engaged in the printing and lithographing trades, against passage of the Bourne parcel-post bill; to the Committee on the Post Office and Post Roads.

By Mr. WILSON of New York: Petition of the National Liberal Immigration League, of New York City, favoring building two battleships; to the Committee on Naval Affairs.

Also, memorial of the Inventors' Guild of New York City, favoring appointment of a commission to consider the patent system of the United States; to the Committee on Patents.